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The Week.

MR. BOUTWELL on Tuesday introduced and carried to a third reading a bill excluding from practice as lawyers before the Federal courts all persons guilty of having aided or abetted the rebels, an enactment which the Supreme Court has already pronounced unconstitutional, as being in the nature of a bill of pains and penalties. The bill is in effect an assertion on the part of Congress of its determination to have its way as against the court, and is therefore highly important and worthy of careful and calm discussion. But Mr. Boutwell refused to allow it to be debated, and is, as we write, forcing it through under the previous question, without allowing the minority to express their opinion upon it, and sooner than yield his point, has kept the House up all night voting on dilatory motions. This may be legislation, but it is not the legislation of a deliberative assembly.

THIS has been, on the whole, a great week for Billingsgate. Mr. Stevens displayed his almost unrivalled powers in an attack on Mr. Seward, which will certainly keep Parson Brownlow and George D. Prentice awake for the next month. We do not admire Mr. Seward, and have said our say about his course since 1860; but he is a man who for nearly forty years used great powers for the promotion of noble ends, and was an anti-slavery man when anti-slavery men were scarce, and who has consequently, in his day and generation, done honor to his country. The spectacle of another old man, therefore, bespattering him in Congress with abuse such as may any day be heard in any Democratic bar-room in this city is not edifying.

THE Judiciary Committee is said not to be making much if any progress with the impeachment investigation, and it now seems probable that the preliminary investigation, as well as the proceeding itself, will be bequeathed to the next Congress. According to Mr. Sumner, the whole North is eager for the impeachment; but if we may judge from the press, very few people are eager for it. The Washington correspondent of the *Springfield Republican*, who is generally both sensible and accurate, estimates the chance of impeachment as one in a hundred, and the chance of conviction as one in a thousand, which we think is probably a fair estimate of the extent of Mr. Johnson's risk. We may add that we doubt if Mr. Sumner is helping any cause by delivering such tirades of abuse as he poured on Mr. Johnson last week.

All he says is, perhaps, true; but then, Mr. Johnson is not improved nor the country enlightened by saying it, and Mr. Sumner's reputation is certainly not increased. What is called a "scathing denunciation" is a kind of performance to which almost any intellect is equal; and certainly Mr. Sumner might have found a thousand better ways of using his great powers than "exposing" Andrew Johnson. Mr. Johnson has put himself beyond the reach of the moral censure of wise and good and even decent men. Anybody who "swung round the circle" as he did last summer may fairly bid defiance to criticism.

NEBRASKA and Colorado are admitted into the Union as States if the bills for their admission are not vetoed, or, which is very doubtful indeed, are passed over the veto that is pretty sure to come. They are not to come in, however, until the Territorial legislatures have accepted a condition precedent which binds, or which is supposed to bind, or which some persons pretend to believe will bind, the new States never to make between their citizens any political distinctions based on color. An honest imposition of this requirement the necessary majority in the House and Senate could not be brought to make; but they have succeeded in seeming to insist severely on impartial suffrage. Two years from to-day a Colorado or Nebraska convention does what it likes in the matter. But the Radical strength in the next Congress will be increased by the coming in of the new members, and the accession may be useful should it be decided to offer an impartial suffrage amendment to the Constitution—the only way in which the friends of impartial suffrage will make quite sure of it.

MR. W. E. DODGE, of New York, spoke strongly in the House, on Monday, against the impeachment, which he deprecated as "not only unfortunate in a political point of view, but vastly more unfortunate in paralyzing the industrial and business interests of the country." He mentioned, in illustration, a charitable institution in New York which had agreed to invest its surplus capital in United States securities, but, on account of the impeachment proposition, changed its decision and put the money in a trust company. Nobody is better qualified to speak on this point than Mr. Dodge, and we hope the Ashleys, Loans, and other wise men will heed what he says.

MR. MORRILL's bill, obliging the Secretary of the Treasury to give six days' notice of his intention to sell gold, and to dispose of it to persons bidding for it in sealed proposals addressed to the Assistant Treasurer, and to be opened by him in public, has passed the House. The bill deprives the Secretary of a power which we believe was not abused, but which might be, and which, whether or no, no man ought to have.

MR. COWAN has been nominated as Minister to Austria in place of Mr. Motley, who, Mr. Johnson says, resigned, but who, Mr. Sumner says, has been removed expressly to make way for Mr. Cowan. Mr. Sumner has therefore very properly called on the President for the correspondence in the case, and should it prove that a man like Motley has been turned out of the public service to make way for a man like Cowan, we trust the Senate will do its duty and see that the arrangement is never carried out. The Pennsylvania Legislature is highly indignant at Mr. Cowan's appointment, on the ground that after they have pronounced him unfit to be senator, it is an insult to the State to make him a national representative abroad. We should share in this view if senators were never turned out except for bad behavior, but, unfortunately, they are so often dismissed simply for the purpose of giving some one else "a chance" that dismissal does not necessarily carry with it a moral or political stigma. Mr. Cowan has lately laid

down his own views on the subject of tenure of office, in which he promulgated the doctrine of rotation in office in the very form in which every trickster, intriguer, vagabond, knave, and adventurer loves and upholds it. We trust, therefore, he will get no place of honor or profit, and that the Senate will make a firm stand on his case. Mr. Lincoln put into office the best set of foreign ministers we have had in many a day, and all our representatives at first-class courts for the last six years have been men who were in every sense of the word an honor to the country. We might perhaps make an exception in the case of Cassius Clay, but though "a child of nature and a child of freedom, and having his bright home in the setting sun," he is an honest and an honorable man, who, whatever discredit he might bring on the national rhetoric, would never bring any on our national character. They are now being removed one by one to make room for the broken-down adherents of "the policy," and if anything can be done to stop the process, stopped it should be. That "bright illuminating jewel" of New Jersey, Mr. Rogers, will probably be nominated for some mission before long.

A STORY has been set afloat in the newspapers that, being full of gratitude on account of the Supreme Court decisions, Mr. Johnson intends to displace Mr. Adams, American minister in England, to make room for Mr. Dudley Field, whose brother is one of the justices of the Supreme Court. The story is destitute of truth, unjust to three of the four persons mentioned in it, and palpably an invention of some mind transported beyond the bounds of honesty and decency by the late decisions. A report much vaguer in its charges, to which currency has, however, been given by the respectable authority of the *Boston Advertiser's* Washington correspondent, is to the effect that the very well known Jeremiah Black, often irreverently styled "Jerry Black" and "Buchanan's man Jerry," the constitutional adviser of President Buchanan, who, as Attorney-General, informed that public functionary that the United States could not legally coerce a State to obey the Constitution, is the fountain whence Mr. Justice Davis draws his legal and political opinions. This is said to be the common belief among radical Republicans in Washington. It would, no doubt, be tolerably hard to prove it true; but, at any rate, the fulsome laudation of Justice Davis delivered at a late "banquet" by Mr. Black, who is a practising attorney at the bar of Judge Davis's court, was in sufficiently bad taste, and has helped to get credence for a report which Mr. Black may like to have credited, but in which Judge Davis probably takes not much delight. It is getting to be more and more the practice to punish men of prominence who may happen to differ from the majority by inventing a little story showing them to be animated by the vilest motives. Thus, Mr. Beecher wrote the Cleveland letter, we were told, to get his son reinstated in the army after having been dismissed for drunkenness, and, if we remember rightly, for swindling. The slander is usually manufactured by some of the "lively writers" who act as chiffonniers for the press, and then solemn and sedate politicians take it up, pass it about, and draw long, lugubrious faces over it as if the spectacle of human depravity was getting to be too much for them.

THE *New York World*, in its best style—which, like its worst style, is not easily equalled—has recently shown the extreme foolishness of one or two projects for lessening the power and authority of the Supreme Court which have been broached by the *Chicago Tribune*. One of the two, we see, has been put into shape, and on Monday was offered in the House as a bill. It ordains that whenever the Supreme Court is called upon for a decision in regard to the constitutionality of any law of Congress or of a State, the hearing shall be before a full bench, and the decision, to be binding, shall be made without a single dissenting voice. This is a shade worse than the Western journal's plan, which only provided that the voices of three-fourths or two-thirds of the judges should be required to set aside a statute. But even then, as the *World* points out, in every case tried some one man, plaintiff or defendant, would have to submit his cause to a tribunal in which the chances against him would be as three to one or as two to one. The Supreme Court is not a Council of Revision. It is only in suits between citizens or States that the constitutionality of a law comes before it, and this the *Chicago Tribune* seems to forget. It is true that in jury trials one

of two men must convince the twelve jurors that he is in the right, and one dissenting juror can prevent his winning his cause; but in such cases new trials and appeals are always easily possible. A Supreme Court decision is for all practical purposes final. We have not space to examine that journal's theory in regard to the appellate jurisdiction of the court. It is as carefully prepared as the other, and as entirely mistaken, reminding one of certain philosophic theories which Longfellow's American traveller found abroad in the natural home of lager and smoke. They were ingenious, elaborate, beautiful; they seemed like wide roads which must conduct the traveller somewhere; but they had a way of getting into waste places and contracting, and finally, like squirrel tracks, they led up a tree and stopped.

THE insolent indifference of our great common carriers to anything but the making of money has, during this stormy week, had the completest possible illustration. Hundreds and thousands of passengers between New York and the opposite shores of the North and East Rivers have had the satisfaction of waiting two and three hours in ferry-houses, and even two and three hours aboard boats stuck fast in the ice, unable to cross, while tug-boats were moving about apparently with perfect ease. Some one of the many men who have lost valuable time by the gross and impudent neglect of these corporations ought to prosecute them in the courts. Nothing would be easier than for such a prosecutor to have a purse made up for him out of which to defray the legal expenses attendant on doing a great public service. Then, too, we have had the squabble between the directors of the Central Railroad and those of the Hudson River line, which has been settled we neither know nor care how, but which in its progress brought on the travelling public an amount of inconvenience which has found expression at Albany. "Travellers," we are told, "were compelled to walk across the ice at East Albany and take charge of their own baggage; the local trains to Troy ceased running; the new bridge might as well not have been built." The bill introduced into the State Legislature is not all that is wanted; but that and the comments of the press and the anger of the sufferers prove progress, and are a promise of better things to come. By-and-by the community will fully believe, and make these tyrants believe, that a franchise granted by the people the people can take away when it is shamefully misused.

NATHANIEL PARKER WILLIS died on the evening of his sixtieth birthday—January 20, 1867. For many years sickness, almost constant, and his editorial work for the *Home Journal*, had withdrawn him from all literary labors of a kind more pretentious than trifles for that paper or more likely to be of permanent value. He had outlived the greater part of the fame which he once possessed, and at no time since 1850 would his death have been really an event in the literary world. His prose writings have been extensively read; gossipy, light, even frivolous, they yet were cleverly done and once were very readable; his touch was lighter, his expression more piquant than in his time was at all common among us. But their day is pretty much done. For a generation or two, however, Mr. Willis's name is likely to remain; he was an American author at a time when authors were rare in America, and he was author of one or two little poems which, whenever and wherever produced, would deserve to be called excellent.

THE news from England is unimportant. Trade is depressed, and the iron trade is largely passing into the hands of Belgians, who are able to undersell the English dealers owing to the continued differences between the English workmen and the masters. A terrible snow-storm has added to the distress already existing, and the Government is said to hesitate about introducing a reform bill; but there appears to be no doubt that the arbitration proposition made by the United States for the settlement of the differences growing out of the war will now be gladly accepted. The prospects of trouble between Austria and Hungary continue to increase, owing to the determination of the Hungarians to keep the control of their own army. But above and beyond all these minor troubles looms the "Eastern question," that portentous monster which, for fifty years, has troubled the repose of every statesman in Europe, and which no spell or potion yet devised seems strong enough to quiet. But the chances are that, before very long, the experiment of a Greek kingdom on a

larger scale will be made, but it will be very long, we fear, before any power will venture to propose that the Turks shall leave Europe.

WE publish in another column an interesting letter from our Cretan correspondent, giving a detailed account of the fight at the convent of Arkadi—an episode in every way worthy of the best days of Greece. Spartans might have done worse; they could not have done better. The way in which the Turks treat their captives, as described by our correspondent, is the way in which they have always treated them; the beheading of the dead, and the presentation of the head or ears to the pasha in command, is an old military custom of the Ottomans, and was practised, to some extent, in the Russian war, but repressed in deference to French and English prejudices. So that the appearance of the practice in Crete argues no increase of ferocity on the part of the troops, but it does argue a monstrous bluntness of the moral sense on the part of the European Powers. In these days barbarous modes of warfare are justly regarded as an offence against civilization, which will justify remonstrance, and even interference, on the part of neutrals. The English press teemed with denunciations of Russian barbarity in opening fire, without notice, on the unready Turkish men-of-war in the harbor of Sinope, and the editor of the *Saturday Review* writhed in agony for two years over General Neill's execution of ten guerrillas in Missouri. The rebellion of Crete affords a good outlet for some of this abounding humanity. Turkey is the ward of France and England; they have only to say, Let the Cretans alone, and Turkey withdraws from the island; they have only to say that the Cretans must be treated like civilized belligerents, and it will be done. Ten words of joint protest from the ambassadors at Constantinople would settle it. But for people who could not bear General Butler's rule in New Orleans to submit month after month to the massacre of women and children and the mutilation of prisoners in a Christian island by hordes of Asiatic barbarians, cannot but be regarded either as a display of great feebleness or a proof of great hypocrisy.

LOUIS NAPOLEON has struck another of those unexpected blows, and the effect shows how largely the element of suddenness has entered into his statecraft, and at the same time how much wiser man he is than most of his personal adherents. His management of the Prussian difficulty, his failure in Mexico, the ignoble issue of his troubles with the United States, and the unpopularity of the scheme for the reorganization of the army, had all seriously impaired his popularity, and, consequently, endangered his dynasty, for he is nearing sixty years of age and is somewhat broken down in constitution. Ten or fifteen years ago he would probably have sought fresh strength in a foreign war; he now turns his thoughts towards peaceful political reform, acknowledges in an indirect way the responsibility of the ministers to the Corps Législatif, and places the press under the protection of the courts—the correctional, not “convictional” courts, as the telegraph amusingly and somewhat ominously announced; and, though last, not least, legalizes public meetings. He may say now with an approach to truth that he has fulfilled the promise of 1852, and “crowned his edifice” with liberty. We say, “with an approach to truth,” because one thing is still wanting, and that perhaps the most important of all, the individual responsibility of public functionaries before the courts of law for all their acts, whether done “*par ordre supérieur*” or of their own mere motion. Without this, French liberty cannot be said to rest on any substantial basis; but still an immense step in advance has been made, and we must all hope that the work of political discussion which is now reopened in France will show that the sound experience of the past eighteen years has not been thrown away, and that France will resume in the world of ideas the place for which no depth or length of oppression seems to disqualify her. Perhaps the worst feature in her case just now is the fact that a breed of newspaper writers has grown up during the reign of repression so worthless both in character and mind that they will probably use their newly found liberty in such a way as to disgust the public with the press and prevent the better class of journalists from exercising their just influence.

THE FREEDMEN.

COMMUNICATIONS from Texas represent that in the north-eastern counties of the State the freedmen are more oppressed and brutally treated than in the days of slavery. Says the report: “The lash is more cruelly administered than ever before;” and freedmen who have cultivated land and raised crops have been robbed of all the fruits of their toil. A member of the grand jury of Red River County was heard to say that they dared not indict these criminals known to them to be guilty. Outrages, from cold-blooded murders down, have occurred, and there is no one to whom the blacks can appeal for redress. A recent letter from Austin gives an account of the murder of two freedmen—one near Austin, and the other at Home Bend. The murderers were white men. A case is reported where a freedman at Prairie Lea was cruelly whipped for addressing a young man as “Tom,” instead of “Master Thomas.” Another was shot for refusing to lend his bottle of whiskey to two white men. The civil authorities will not take any steps to bring the offenders to justice. In Panola County there exists a gang of five or six white men who live by robbing the freedmen. The citizens themselves are afraid of them, and the civil authorities powerless, because witnesses dare not testify against them. The military commandant at Victoria having refused to assist the Freedmen's Bureau officers, General Griffin, the military commander of the State, has issued an order to the effect that all military officers must assist the Bureau in the contingencies provided for in the Bureau and Civil Rights acts. The only cheering news from the State relates to labor. General Kiddoo, in a recent tour of observation, found the negroes actively making contracts for the ensuing crop. In spite of immigration, there is still a paucity of laborers.

—A colored man in Wilmington, N. C., has had letters of administration granted him as executor of the estate of another colored man, deceased. It is probably the first instance of such a grant or such administration at the South. A Northern colored man has been denied admittance to the bar of Georgia by the Superior Court of Chatham County. The court doubted its power to contravene a regulation of the State. The applicant, unfortunately, has found it difficult to practise long at any bar, and his forthputting is now, as it has often been both North and South, a positive injury to his race.

—The first news from Louisiana (Jan. 4) declared great willingness on the part of the freedmen to accept employment. On the 9th, we heard that the negroes of the interior had been very “restive” during the holidays, but were now “quieting down;” that the planters, however, found much difficulty in procuring help for the new year, “the freedmen being backward.” On the 12th, the attitude of laborers and planters was reported “favorable.” “The former are now generally contracting, where good crops were made last year, for shares, and, where bad crops were made, for wages. . . . Amicable feelings seem to prevail, especially where no troops are stationed.” (Who knows whether this, as Tennyson enquires of war, is a cause or a consequence?) And finally, on the 18th, “The freedmen are deserting the plantations by hundreds, their contracts having expired, and the full amount of their wages having been paid to them. They refuse to work except at exorbitant rates.”

—The burning of twenty-two colored prisoners (not necessarily criminals) in the jail at Kingstree, S. C., seems to have occurred in consequence of the inhuman hesitation, to say the least, of the jailor and sheriff. The only white prisoner was released. Maj.-Gen. Robinson has ordered Gen. Scott to arrest these parties, ascertain the facts, and then hold the culprits, if so they prove, in military confinement on the charge of murder till the civil authorities are willing to try them.

—Wayne County, N. C., is afflicted with “regulators,” the terror of the authorities as well as of their special victims, the freedmen. In Green County, five negroes, imprisoned on a charge of rape, were taken out by armed men and visited with “a horrible punishment”—so horrible that no other word than lynching is used for it. The action of the State courts in regard to apprenticing colored children has given rise to such complaints that Governor Worth has invited Inspector-General Sewall, of the Bureau, to investigate the alleged abuses.

Notes.

LITERARY.

THE first number has appeared of a new quarterly journal called the "Southern Review," published in Baltimore. It is edited by Albert Taylor Bledsoe—formerly professor of mathematics in the Universities of Mississippi and Virginia, and late Assistant Secretary of War to the Confederate States, a prolific writer for the Southern press—and William Hand Browne, of Baltimore. It "is intended to supply a need long felt at the South; the need of an organ for Southern men of letters, and of a high class of periodical literature for Southern readers," and will "represent the South not as a party, but as a people." Besides literature, art, and science, it will temperately discuss politics, in the higher sense of the word, and education, the Southern people having found "that they can no longer trust the mental and moral training of their sons and daughters to teachers and books imported from abroad." This number contains 256 octavo pages, and has eight leading articles, two of them political. "The Legal Status of the Southern States" is a commentary on, and conclusions from, the cases decided by the U. S. Supreme Court during the war, by Mr. Russell, late Attorney-General of Virginia and member of the Confederate Congress. Dr. Craven's "Prison Life of Davis" is made a peg on which to hang a virulent and violent accusation of the War Department for the imprisonment of Mr. Davis. Dr. Bledsoe contributes the leading article, on "The Education of the World," and Mr. Wm. B. Reed, of Philadelphia, a review of Earl Stanhope's "Life of Pitt." "The Daughters of de Nesle" gives a very entertaining account of the first three mistresses of Louis XV.; and a very severe and amusing punishment is administered in another article to Mr. N. C. Brooks for his "Viri Americæ Illustres," in which the almost innumerable mistakes and errors of that gentleman's Latin style are pointed out. Two other papers treat of "Craftsmen's Associations in France" and "Mental Physiology." Altogether the Review is less Southern than would be expected, not in sentiment, but in style, which is, except in one article, calm, temperate, and often really good. In ideas it is somewhat behind the age, as is natural, the South having been, in great measure, cut off from literature for the last five years. Most of the books reviewed are already old to the Northern public. The writer of "Mental Physiology," for example, would doubtless have written very differently if he had seen the theories and facts on that subject that have been published in the last ten years, his knowledge of the literature of the subject seeming to stop short at 1856.

—Messrs. Hurd & Houghton are about to publish "The Open Polar Sea," by Dr. Hayes. It is a history of the expedition made by the author in 1860 and 1861, and contains a full discussion of the question of an open Polar Sea, and a description of Greenland ice, and of the formation of icebergs. It will be illustrated with engravings and vignettes, and three maps. Dr. Hayes succeeded in getting to latitude 82° 45' north, within seven and a quarter degrees of the pole, after much danger and difficulty, a great part of his journey having been made with sledges. After his return in October, 1861, Dr. Hayes was actively engaged in the medical department of the army until some time after the close of the war, which accounts for the late appearance of the book. Messrs. Hurd & Houghton have now ready the first number of their reprint of "London Society," from duplicate plates.

—The Prince de Polignac, who served in various capacities in the Confederate army during the rebellion, is endeavoring now to do the South service with his pen. In a late number of the "Revue Contemporaine," an organ of the French liberals, he has a long article on "The American Union after the War." It is one of the most amusing misstatements of the position of the North that we have yet seen. Of course the prince discusses the war and its cause, which, he says, was not slavery, as is often mistakenly alleged, but the opposition of the South to a consolidated, unconstitutional form of government. He thinks the laws against the education of the blacks were not made for the persecution of the negroes, but to guard them from the pseudo-philanthropy of the North, who wish to put in their hands the knife and not the pen. Besides, these laws were never enforced. "What negro who wished has not learned to read?" "The black population of the South was

more moral than any other black population on the globe. It was certainly more moral than the white manufacturing populations of the North. There was a double reason for it; they had no Yankee schools, and they had the example of the family," the family being the basis of all Southern institutions. The article ends with a tirade on Montalembert for his pamphlet on this country, and an appeal to the instincts and sympathies of the French nation. It shows very truly the feelings of the Polish nobility as to progress and liberty, and is a comment on the Polish as well as the Southern insurrection.

—De Tocqueville somewhere says, "Freedom creates a thousand times more property than it destroys, and in states that enjoy it the resources of the people increase faster than the taxes." This, if not the motto, is certainly the moral of a book just published by Cotta, of Stuttgart, written by Dr. Karl Freiherr von Hock, Imperial Privy Councillor of State of Austria, on "The Finances and the Financial History of the United States." The author states in his preface that he began his special studies of the subject in the fall of 1862, induced to do so by the wonderful aspect which the finances of the United States began to present, by the readiness with which burdensome taxes were borne and loans contracted after a long period of immunity from taxation. His work was long interrupted by the negotiations between Austria and the German Customs Union, in which he bore a conspicuous part; but, as often as he returned to the subject, he recognized more fully its general and permanent interest. The analogy of the internal affairs of the United States to those of Austria made it important "to enquire what were the means employed in America to secure the triumph of the Union, a higher degree of cultivation, freedom, and the increasing prosperity of the people, while such results could not be achieved in Austria." It is important, too, for the emigrants from Europe to know something about the financial laws and administration of the country of their adoption. A careful reading of the book would, doubtless, be also of great value to many native Americans, and we hope that a translation of it will be made. Von Hock published in 1857 a work on the financial administration of France that has been much read and studied in France, and in 1863 he published another on "Taxes and Public Expenditures," that was also well received.

—Dr. Ori, of Tuscany, well known in Italy as a scientific man, has lately returned to Cairo from a very adventurous expedition into the interior of Africa. He had been appointed by the Viceroy of Egypt physician-in-chief of the Soudan country, and made his journey of seven years in the little-known territories of Darzaleh and Darfur, under the patronage of Victor Emanuel, who paid his expenses. In Dr. Ori's explorations, which have extended over five thousand miles and into districts never before visited by a European, he was accompanied by his wife, an Italian lady of great endurance and courage. He is now preparing for publication his journal, and an account of the many specimens of rare animals and plants which he has brought home with him. His medical knowledge and his acquaintance with several African dialects were of great advantage in conciliating the friendship of the tribes through which he passed.

EDUCATIONAL.

FOUR very interesting and valuable articles by Emile de Laveleye, on "The Instruction of the People in the Nineteenth Century," have appeared in recent numbers of the *Revue des Deux Mondes*. Their translation and republication in this country, with suitable notes and additions, would be of great service to the cause of education. Even a condensation of the articles, or the selection of such portions as most pertain to our affairs, would be a welcome contribution to the pages of any one of our many educational journals. The first of the series is a general review of the public school system in the United States. Taking little notice of slight local differences, the writer presents in a clear and compact form the essential features of what is fitly termed the American system. Four nations, he says at the outset, can boast that all their (native) citizens can read: North Germany, Norway, Switzerland, and the United States; but only in the one last named does every one read in order to understand political, religious, and industrial discussions. In the Union, he continues, there is twice as

much printing as anywhere else, and as much paper is consumed as in France and England together. With this flattering opening he proceeds to describe and discuss our school system, pointing out its defects as well as its good points, and strongly commending it to European statesmen.

The second article is a review of the systems pursued in England and her colonies; and the facts which are here collected show forcibly that where the government simply favors instruction, without doing anything to enforce it—in other words, where private and corporate schools are established, and public schools, in the American sense, are not organized—the education of the people is not accomplished. The argument here presented is one of the strongest we have ever seen in reply to the saying that “the State cannot keep school.” In our opinion, the writer shows conclusively that if the State does not “keep school” the people will grow up in ignorance.

The third article of the series is a consideration of the possibility and desirability of enforcing attendance at school, and the means by which compulsory laws are carried out. The last of the essays which has yet appeared is one of the most important, being a discussion of the religious question. To Holland is attributed the credit of having first solved successfully the problem which has vexed all communities of different religious creeds. The radical separation of theological education from secular, first attempted there and subsequently accomplished in this country, in Upper Canada, and elsewhere, is specially commended.

Superintendents of schools, and all others concerned in public discussions of the principles which underlie our educational systems, will find these essays instructive and suggestive.

LIFE OF WINTHROP.*

THE sons of the earliest Massachusetts sires take an equal pleasure and pride in writing their memoirs and in standing by the legitimate results of their noblest principles. The library of her histories and biographies is becoming a voluminous one. Most of the modern works, however, are but a corrected or enriched and amplified rehearsal of the staple matters related in a fragmentary or incomplete way by writers of the old time. The coming to light of ancient collections of papers of prime historical value gives us, from time to time, either a new theme or fresh materials for filling out or elucidating an old one.

The man of highest mark and service among the founders of Massachusetts was John Winthrop, its first governor. His son, of the same name, became, in his early manhood, a resident of Connecticut, of which colony he was the governor while his father held the office in Massachusetts. The descendants of the elder are now represented principally in the two States which represent those original colonies and in New York. A large collection of family papers, including a mass of original letters, was discovered a few years since in New London.* They proved to be of just the sort and variety most prized in the preparation of memoirs. Two large volumes of these letters have already been published under the title of “Winthrop Papers,” in the collections of the Massachusetts Historical Society. The president of that society, the Hon. Robert C. Winthrop, has, during the whole term of his office, been most unwearied in promoting its interests and in quickening the zeal of its members. Under the prompting, we may believe, of an equal desire and motive to do his own part in the service of that society and to commemorate fitly his own honored ancestor, he has now completed a most pleasant and profitable task.

The documents to which we have referred contained, among the family papers, many of a private nature relating to the domestic affairs of the Winthrops in their English home, and helping, by the aid of personal research instituted by the biographer in two visits to England, to fill out at large the history and experience of the governor during that earlier portion of his life about which before we knew very little. A volume, published three years since, was devoted by the biographer to the history of his ancestor, his family descent, his education, and private life at home. Those of our readers who are acquainted with the contents of that volume found in it matter of a charmingly quiet and tender interest for such as love a picture of ancient home life and the delineation of character under the most attractive training of Puritanism in its softer phases.

Furnished with a most convenient line of division in the treatment of

his subject, the biographer now gives us a second volume, dealing with that portion of the life of his ancestor which was spent in the New World. He arrived in the harbor of Salem with the large fleet bringing the intended colonists, June 23, 1630, N. S. He died in Boston, March 26, 1649. The interval between, with its matter of local and personal interest, as involved in the career of the subject, covers the term of years of which this volume is so far a history. Matthew Cradock, who was the governor of the trading company resident in England, administered under the Massachusetts charter, as he could not come over himself, resigned his office in order to allow the election of John Winthrop, under whose auspices and guidance the company had agreed to transfer itself and set up its jurisdiction with the royal patent on this soil. It was only after the most deliberate and well-weighed consideration of the inducements and discouragements, the helps and the obstacles to the enterprise, that the momentous measure had been resolved upon. Winthrop was its master spirit; the one who was to bear the heaviest sacrifice if it failed; the one on whose devotion, constancy, and full-nerved resolution feeble spirits would rely, under the stern exactions which they could foresee as sure of encounter, and the temporary and unlooked-for disasters which might dishearten.

The biographer has performed his own work with great discretion and dignity. The temptation which he might have felt, if he had had a less noble and a more exceptionable subject, to constitute himself expositor, defender, and eulogist of his ancestor, would undoubtedly have been restrained by his own good sense and high-mindedness. But, happily, there was no matter or occasion for such temptation. John Winthrop was a conspicuously true-souled, pure-hearted, and able man; a providential man to lead, to regulate, and to ensure the success of such an undertaking as only a wise and good man would have ventured, and only a thoroughly earnest and great man could have led on to triumph. His biographer has only to allow him to show himself for what he was, and in what he purposed and did, and as he bore himself and vindicated himself when under question, rivalry, or temporary misunderstanding, and his subject stands free of all need of a champion or a panegyrist.

His wife, expecting the birth of a child, remained in England when the fleet sailed, bringing him with a part of his family. His son Henry was drowned at Salem on the day after his landing. When the wife, the noble-hearted and beloved Margaret Winthrop, followed, she was called to commit the new-born infant to the deep on her passage. For twelve years, including that in which he died, John Winthrop was chosen governor. The years were not continuous. The cautious men whose affairs he administered, not without some little stirring of their anxiety by private jealousy, feared lest the office might be regarded as held by a life tenure. To guard against this fortuity they dropped their best man often enough to break the continuity of his chief magistracy, retaining him, however, as one of the “assistants,” but recommitting their supreme honor to him again and again after they had made sure that he had learned his lesson of humility as faithfully as they had learned that they could not dispense with his services. Some of the finest touches of the portraiture in the book before us are those which relate to his bearing under the rivalry of one prominent man, and the questionings of many stern but honorable scrutinizers of his course.

The very full journal which Governor Winthrop left in manuscript, and which has been edited in two editions with such rare and elaborate painstaking by the Hon. James Savage, whose notes are often as quaint as the original text, has always been regarded as the most valuable of all the historical works of Massachusetts. The truthfulness and candor of the writer, his piety, the generosity and magnanimity of his spirit, his relations with all the prime movers in his enterprise at home and abroad, and his evident wish that posterity should be informed of the purposes and plans of the first comers, give his pages authenticity and bring the reader directly into his confidence. It is, of course, mainly by this journal, with the illustrative aid of letters and other private with a few public documents, that the biographer has drawn out the life. The subject of it shared, of course, the superstitions, limitations, and religious prejudices of his contemporaries. There are many strange stories in his pages, many things which will move a smile in the reader, and some few which are painful, not to say shocking. But they are the reflections of the narrowness and darkness of view which marked the times and the men. And yet there was no austerity, still less was there anything of the malignity of bigotry or of the cruelty of superstition, in the character of John Winthrop. Were he with us to-day, just as he was when he trod the grass-fields and worshipped in the thatched meeting-house of Boston, he would be recognized as a most saintly and lovable man, and as accessible by knowledge or argument to all the new truths and all the real changes for the better which mark these days of ours. We have never heard of him as being summoned by any of the rapping mediums,

* “Life and Letters of John Winthrop, from his Embarkation for New England in 1630, with the Charter and Company of Massachusetts Bay, to his death in 1649. By Robert C. Winthrop.” Boston: Ticknor & Fields. 1867. 8vo, pp. 483.

who might well stand in awe of his grave and rebuking dignity. But sure we feel that of all the original settlers on the soil of Boston there was not one whose words from the spirit-world to those who occupy the scenes of his hardships and noble accomplishments would be more wise or gracious. The Bostonians are indebted to him for their Common, and we may take that fact as symbolical of the sort of claim in kind, but in enhanced degree and wide variety, which he has upon the gratitude and love of the people of the whole State.

The visitor to the chapel of Mt. Auburn sees at his left hand, as he enters the door, a marble statue seated, with the stiff neck-ruff and the costume of a gentleman of the ancient time. The face bears a good resemblance to the original portrait of the man for whom it is designed as a memorial, hanging in the senate chamber of the Massachusetts State House—viz., John Winthrop. In the secretary's office, in the opposite wing of the State House, is suspended the charter, that charmed document which he brought over with him, which legitimized the government set up on the new soil, and which was so tenaciously, not to say slyly, or artfully, or evasively, held in spite of royal commissions sent over to reclaim it. The man thus presented in portrait and statue, and the parchment which he resolved should never, if he could help it, recross the ocean, as he determined he himself would not, are treasures of which Massachusetts is proud. Yet it is not with a conceited or a local pride. She believes that the man and the parchment have a national significance for our country, and that they represent what is best of the influences which are to be our common aims and safeguards for the future. John Winthrop, as a man and a magistrate, had many contemporaries who, while greatly honoring him, shared many of his virtues. Indeed, there was a singular likeness and harmony of spirit between him and Bradford and Eaton and Haynes and Williams, whose offices and services in the other New England colonies were similar to his. How much the living generations owe to their lofty probity, their piety, their spirit of self-sacrifice, and their wisdom in legislation and in the establishment of precedents in new relations, only those can know who, after watching the aspects and currents of our modern life, turn back in quiet hours and read thoughtfully such books as this on which we have thus been moralizing, after having richly enjoyed its perusal.

LESSING.*

THE life of Lessing, just published by Mr. Spencer, is a work of permanent value. It is the best of the many books which have been written and compiled for the purpose of portraying the character and career of one of the most illustrious scholars and thinkers that even Germany has ever produced. It combines judicious selection with ample information, criticism with narration, and presents with comparative brevity an outline of labors the benefits of which the world is now enjoying in almost every department of learning and culture.

The translation is excellent: it is a faithful reflection of the spirit and style of the original, and at the same time is good idiomatic English. We have carefully compared it with the German, and find it not only critically correct, but also so free in the structure of sentences and the choice of words that one would scarcely suspect from reading that the story first took shape in a foreign tongue. Even the verses in the text are in most cases good poetry as well as exact rendering. This excellence deserves particular commendation, because the work, from its treatment of philosophical and dramatic topics, is uncommonly difficult to put into English dress; and especially because very many translations nowadays are done in so hasty and slovenly a manner as to be mere caricatures of the works which they attempt to render.

The external life of Lessing is so intimately interwoven with his literary labors, and the powerful influence which he exerted on his own age sprang so directly from his personality, that we must here give a slight sketch of his history.

He was born in 1729 in an obscure village of Northern Saxony. From both parents he inherited a taste for scholarly pursuits, and his love of study was developed at an unusually tender age. His father was a Lutheran pastor, and brought up his children under strictly orthodox influences. But a passion for free enquiry and a keen subtlety of thought and reasoning were characteristic of Lessing from his early youth; hence the rigid system of instruction in the grammar school and the university, although of great advantage in training his brilliant powers to patient investigation and accurate conclusion, did not have the effect to destroy his originality. His regular

studies were prematurely ended, partly through lack of pecuniary means and partly because he soon outgrew the slow processes of academical tuition, which are necessarily designed for mediocrity. From this period he was thrown upon his own resources; nay, more, he was all his life harassed and impoverished by the claims of needy relatives upon the inadequate recompense of his labors. For a time after leaving the university Lessing was engaged at Berlin in the publication of a literary journal and review; afterwards, his favorite department of literature, the drama, received his attention and the stage his active support. "Lessing," says Heine, "was the literary Arminius who freed the German theatre from every foreign domination," and what his vigorous emancipating genius did for the drama it accomplished also for the other departments of German art and letters. As he was obliged to choose such occupation as would bring him instant and regular pay, his most powerful inclinations were often held in abeyance, and he wandered from place to place, and from one situation to another, as opportunity offered. Thus at one time he was travelling as companion to a wealthy gentleman, at another he was brought into the din and tumult of war as secretary to a general of the Prussian army. Again, we see him striving to establish a national theatre at Hamburg, and this project having failed, through the ignorance and indifference of those with whom he had to deal, he accepts, after trial of other unsatisfactory plans, the post of director of the ducal library at Wolfenbüttel. Here he spent the last ten years of his active life, and here he died, after a laborious and singularly unfortunate career—unfortunate so far as his personal happiness was concerned, but gloriously useful and successful in its influence upon his fellow-men, and growing more radiant as his prophetic ideas find development in the actual progress of the race towards the liberty he demanded and the truth he adored.

Allusion has been made to his misfortunes; and it would, indeed, seem that in his private experience he was the mere football of fate. All his best hopes and wisest plans were thwarted, and it is certain that his life was shortened as well as saddened by anxiety and disappointment. He wished to pursue a scholar's quiet and absorbed existence, and he was early thrust forth to employ his store of learning towards practical ends of the commonest kind; he wished to travel, and, with the exception of a disastrous attempt to visit England, and a hurried tour through a portion of Italy as companion of a capricious and weak-minded prince, his movements were confined to a few of the petty kingdoms and duchies of Germany; he enjoyed the society of friends and the interchange of thought with kindred minds, but, in his ardent love of truth and sincere pursuit of knowledge, he rose to heights where his companions could not follow him, so that he was continually wearied with loneliness, and pained by the misapprehensions of those to whom he would fain have turned for sympathy and support. He longed, as only a man of pure mind and life can long, for the sacred pleasures of a happy home; and his marriage to the only woman he ever loved was delayed by adverse circumstances for six weary years, until the prime of life was past for both; and when the union was at last secured, he was granted only one year of wedded happiness, and only a few hours of the pride and joy of paternity before the grave closed upon wife and child.

But though we may regret the vicissitudes that made Lessing's life one long tragedy, it must be acknowledged that his experience was of a kind best fitted to discipline and direct his remarkable faculties, and that the result was the greatest possible advantage for the progress of culture in his native land, and for the spread of liberal ideas throughout the world. It is difficult for us of the present day to realize the state of German literature a hundred years ago. We regard with admiration this splendid, concentrated, skillfully arranged treasure of learning, the achievement, in great part, of Lessing's efforts; but, in his time, its departments and its institutions were as isolated and disintegrated as were the political interests of the land that cherished them. Each duchy, each city, had its exclusive clique or coterie of scholars and thinkers, who looked upon all outsiders with contempt. There was no desire for united labor, no pride in national success; and servile imitations of French rules and models hindered all characteristic development.

But Lessing was exempt from all weaknesses of parties and schools. Saxon by birth and Prussian by habit, he lived, in the midst of a deadly war between the two powers, entirely free from partisan prejudice, yet warmed with a holy patriotism for Germany as he dreamed of it and as it is destined to be—a united and powerful nation. Educated into reverence for the French standards of art, and surrounded by mongrel specimens of literary taste which were pronounced masterpieces by his age, he yet broke loose from all these trammels, and dared to express in his native language the lessons of truth which were taught him by the instincts of his own heart and by actual experience, thus filling up the gulf which had long separated

* "The Life and Works of Gotthold Ephraim Lessing." Translated from the German of Adolf Stahr by E. P. Evans, Ph.D., Professor of Modern Languages and Literature in the University of Michigan. Wm. V. Spencer, Boston. 1866.

literature from life. He was a philanthropist and an emancipator at a time when Jews were denied the protection of civil law, and free-born citizens were sold like cattle to fight for foreign powers; he was a Christian after the pattern of Christ's precept and example, while the arrogant religious world in which he lived was confined within the narrowest limits of bigotry and superstition. It need not be said that he found hosts of enemies, who exhausted their devices to destroy his influence, and even called to their aid the strong arm of tyranny to annoy and silence him.

Heine's wish that not a lyre, but a sword, might be laid on his coffin, would have been eminently fitting for Lessing, whose life was a constant battle. His mission was to war against prejudice, to overthrow the authority of bigots, to detect and dissipate shams; and nobly did he fulfil this work. His residence in various parts of the German empire, his sympathy with progress in every department of life and knowledge, his unquestioned authority in all matters of literature and art, his brilliant reputation as a scholar and a writer, his unselfish tenderness towards all forms of misery and sorrow, his hearty appreciation of excellence in others, even the nobleness of his personal appearance and the fascination of his manners and conversation, made him the central and combining influence amid the conflicting elements of his country's development—the key-stone of the arch of German literature.

And the good that he did lives after him. He who was named by Macaulay as, "without doubt, the first critic in Europe," laid down rules of art which still retain their force; while the grandest trait of his character, his fearless and unwearied search after truth, found its reward in the gift of prophetic insight, leading him to utter sentiments which are brought forward in our day and hailed as new discoveries, without recognition of his silent but ceaseless influence.

We cannot better sum up the rightful estimate of this great and good man than by quoting the initiatory verse of the book now offered us:

"Type of the perfect man he came:
Of highest Truth the peerless Knight
(Himself her image, pure as light)
And Freedom's champion, void of blame."

TWO NOVELS WORTH READING.*

SOME years ago a slender novel of English authorship made its way to these shores, where from inadequate advertising, it would seem, it met with but a small sale. The title was a rather singular one and easy to forget, and readers who, like ourselves, caught a glimpse of it at the time, must have been wondering since what ever became of that very good story which had for a heroine a certain Lill Tufton, and for a hero an ostracized Italian patriot, a Mr. Giuliani; a story written in the Ruffini vein which was not Ruffini's. But the other day Messrs. Leypoldt & Holt issued a pretty little volume bearing the title "Who Breaks—Pays," a translation of the Italian proverb "Chi rompe—paga." It was a republication of the neglected English novel, a second reading of which only served to strengthen our former liking.

The story opens with the rather trite occurrence of a "foreigner," poor yet noble, who gives Italian lessons to support himself, falling in love with his rich and beautiful pupil, even as that model of the "deeply, darkly, desperately" delightful, Thaddeus of Warsaw, did before him, and under much the same circumstances as those in which Ruffini's Paolo falls in love with Miss Lavinia Jones. But it is pleasant to see what a nice judgment of the natural consequences of education and character and circumstances can make out of this romantic and hackneyed starting-point. Without unduly foreseeing the results, the reader likes to feel satisfied, when they come, that they are just what ought to have been expected. This merit, which may belong to the simplest little narrative, and which never belongs to the sensation novel with the "ingenious plot," and, in fact, forms the great distinction between novels enjoyed by the thinking and the unthinking classes, is pre-eminently true of the great works of fiction. "Why, anybody could have thought of that!" has been the voluntary exclamation of many an inexperienced person after reading one of Dickens's most life-like passages. It is the old story again of Columbus and the egg. "Lavinia," just alluded to, did not possess this attraction of natural sequence, so to speak. Doubtless all the things recorded of her might have happened, but certainly they never did. Ruffini, however, was not always wildly romantic, as everybody knows who has read "Dr. Antonio." The author of "Who Breaks—Pays" has evidently studied that work with a deep and abiding admiration. Had he been a person of less ability, his book might have been a mere imitation

of it. As it is, the resemblance between them is only a sort of family likeness—nothing more. But there will be those to insist, at least, that Giuliani is modelled after Antonio. We think it possible that two men being of the same blood, bred under the same political influences, and taught by like experiences of privation the governing principle of self-renunciation, may be strongly alike and yet not be the same men. From beginning to end, Giuliani is the object of an interest and sympathy to the reader that no mere weak rehash of somebody else's conception could lay claim to.

Perhaps, after all, there is no use discussing the originality of any "later-day" book-born beings. Since the time when Dr. Johnson called Miss Burney "a little character-monger" there have been so many thousands of novels written, that a type of everybody has been produced and nobody can be a "character-monger" any more. Except for this fact, it would have been a temptation to give the author of "Who Breaks—Pays" and "Skirmishing" high praise for "original" *dramatis personæ*. But if "originality" is out of date, "appreciation," as everybody knows who has to visit picture galleries or report on the merits of the last programme at the Philharmonic, is in high request. It may then be said, without violating the conditions of our sophisticated state, that the mind which has depicted "Lill, beautiful, sprightly Lill," "surnamed Espiègle," capital Miss Crumpton, that "vicious terrier" Sir Mark, and the Townsend with her queer religion, is delightfully appreciative of human nature. Not a person in the book but is individual, even down to the "broad-faced, broad-shouldered" Russian girl, Mlle. Arsenieff, who plays Chopin at *soirées musicales*; or pretty Edward Tufton, who listened so unconsciously when Lill sang at him:

"There was a little man, who had a little soul,
And he said to his soul, let's try, try, try,
To make a little speech between you and I, I, I."

Sir Frederick Ponsonby comes nearer being a lay figure than any one else, unless, perhaps, where he appears at the closing of the last scene—the whole of which is so deeply pathetic—and is made conspicuous by being painfully unnoticed. It was so with the poor Queen in "Ruy Blas," whom fate or Victor Hugo leaves to commit suicide if she chooses, or else to find her way through the night as best she can out from that balcony, heavy with death and crime and despair, back to an inquisitorial etiquette that will call for an account of every step of her nocturnal wanderings.

It is a skilful biographer who can describe an entanglement through all its phases as justly, keenly, sympathetically, as the entanglement in this book is described. No vulgar partisanship betrays an inward pique which the wounded novelist seeks to avenge by relating it to the world. The perusal of Lill's history would be a real balm to a girl—and many a one there is—who is or has been in Lill's predicament; i. e., pursued by a superior man whom she knows she ought to love, but whom, somehow, she cannot love. How tenderly, and yet with what unflinching insight, are her weaknesses dealt with! How the delicate touches of humor lighten the picture without ever rendering ridiculous the real suffering of the poor, young, thoughtless, fashionable thing! It is impossible not to pause here, and guess that a woman tells the tale. No man could ever so relate a girl's experiences; not even the great Mr. Reade himself, who pretends to be able to see through a woman's very soul and down to the marrow of her smallest bones. This author dissects with gentleness and fellow-feeling, like a woman; not like a man who runs his sword through the Gordian knot of feminine complexities, and, holding up the unravelled cords, cries, "There's your mental formation, madam!" But if our entertainer's sex is betrayed by her fineness, it never is by her femininity. She generalizes like a man. She is free from affectation. She does not permit one's feelings for either hero or heroine to conflict with the justice due to the other; one is forced to understand how there may be two sides to a story.

In general terms, what is true of "Who Breaks—Pays" is true of "Skirmishing." But although of a lighter character, and still shorter, we think the latter to be more complete than the former. The racy dialogue is racier than before. The plot unfolds with the dash and rapidity of a French comedy. The plot is a gem of a plot. There is a spicy little mystery whose catastrophe is positively a surprise even in these Coldstream days; and yet not a bit of a forgery or a particle of the Braddon machinery of secret springs and subterranean passages is employed. It is the kind of a story that suggests dramatization, only that by making a play of it the clever descriptions, and the scraps of philosophy scattered throughout, would be lost.

One is not annoyed by wordy, irrelevant rhapsodies on scenery, or anybody's reflections on looking at the cot where he was born, or, in short, by any of those tedious sentimental passages with which so many story-tellers feel called upon to interrupt an otherwise meritorious tale, in order to prove their possession of taste and feeling. Yet there is no disdain of word-paint-

* "Who Breaks—Pays. By the author of 'Cousin Stella,' etc. Leypoldt & Holt, New York.
"Skirmishing. By the author of 'Who Breaks—Pays,' etc. Leypoldt & Holt, New York.

ing. Every successive situation is a picture. The unimaginative reader must see in his mind's eye the actors and their accessories, a passing train of vivid figures, beautiful, grotesque, or humorous. There was the lovely Mrs. Brown at the rectory party, "in her plain black silk dress looking like a portrait of Vandyke surrounded by pictures from a fashion-book." And Mrs. Lonsdale, was also there. "She shone with gold wherever gold could be put—neck, arms, fingers, and waist. She and her husband had spent several years of their life in Australia to some purpose; she was very suggestive of nuggets." Here are the portraits of the grave lady and her equally grave husband, who came to pay a visit at the rectory, and for whom the party was given:

"Two most cruelly unamusing and unamusable people. They could not talk on politics or religion or literature; on principle they would not play at whist or écarté, backgammon, draughts, squalls, croquet, or Aunt Sally. The gentleman allowed of chess; but there was no chess-board at the rectory. Mr. Greentorex tired himself to death taking the husband over the church, and explaining that nobody could explain what a certain painted glass-window means, or how it came there, or indeed the church itself; there it was, nobody knew who had built it. This did seem a subject of interest to the guest, who, having heard that the Romans had certainly been in that neighborhood, though some time ago, no doubt, expected to have seen, at least, concrete bricks—yes, he did confess to an interest in concrete bricks."

The odd boy, George Brown, whom nobody can make out—with his mixture of good qualities and the free Continental ways and dislike of church that give so much scandal to the rural neighborhood—he is at the party to amuse the "pair of petrifications" with his wonderful piano-playing. The female petrification would like to have any one tell her that is not a professional performer, indeed! The precocities and peculiarities of the young genius are equally sustained from his entrance to his exit from the book.

But the central figure of interest is Mrs. Lescrimière, the heroine Maud's French-descended grandmother. We read of all sorts of old ladies in books, sharp, or senile, or benevolent, or pious, but rarely one of that kind which is rare enough, but still to be found in real life—an old woman who adds experience to natural ability without extinguishing the warmth and spontaneity of youthful feeling; who joins to that fine result a quick wit, a keen sense of the ridiculous, a touch of defiance of public opinion, the utmost benevolence, and a mind well stored with the reading and events of her day. Mrs. Lescrimière remembers her own part, too, in the French Revolution. She tells an apt story well. Her good-humored antagonism to British prejudices is delightful. Her ruling principle is expressed in the motto quoted from her on the title-page: "Never repent a good action, however it turns out for yourself." Such a person in one's house would be a perfect specific for all sorts of selfishness and moroseness; we are not sure that it is not a partial cure just to read of her. How she vexed the conservative curate because "she never would receive any notion on authority, but would persist in discussing its reasonableness or credibility"! It was the "quickness of her circulation" which led her, in the course of her life, into many "admirable mistakes." "The wonder to her friends was that, after her sad experiences, she should be still so full of life and hope, and what Escott [the curate] denominated speculative optimism."

RECENT SCHOOL-BOOKS RELATING TO THE ENGLISH LANGUAGE.

THERE has been within a few years past in this country a noteworthy progress in the study of the English language. The publication of the books of Marsh, Trench, Max Müller, Craik, B. W. Dwight, W. A. Wheeler, and others indicates an increasing interest in philological studies, for most of these writings are popular rather than scientific, intended for what used to be called "The General Reader" rather than for the scholarly few, fitted rather to stimulate than to satisfy the appetite of scholars. So, too, our public libraries are paying more and more attention to the collection of early English literature, and likewise better books are preparing for the study of the English language in high schools and colleges. We are still without a first-rate series of manuals illustrating the grammar, the history, and the literature of English, and consequently it is commonly the case that young men who are liberally educated enter upon their professional lives having far less acquaintance with their mother tongue than they have with the languages of ancient Greece and Rome. Without disparaging the study of Latin and Greek, we give a special welcome to all books which are intended to promote a critical and historical study of English.

Among the publications of this character is an "Outline of the Elements of the English Language," by N. G. Clark, lately a professor in Union College. His book is made up of lectures given before a class of college students, chiefly on the history of the language, to which is appended a series of extracts illustrating the changes of the tongue between the days of

Alfred the Great and Sir William Temple. The writer exhibits no special powers of investigation, drawing his facts chiefly from the larger works of Marsh and Craik, but he shows good judgment in the selection and arrangement of his materials, and his book is well adapted to the high school or academy. It will not satisfy the best informed teachers, but it fills a gap which has long been left open. Spalding's "History of English Literature" (Appleton) is a more elaborate treatise, occupying nearly the same field, but it is too comprehensive and minute for ordinary classes. It gives a much more thorough survey of the literature than the volume of Mr. Clark, yet, so far as our observation goes, it is wearisome to young persons who know next to nothing about many of the writers it discusses, and who tire of the hurried introductions to so many distinguished people. As a manual of English literature simply, Shaw's history is an excellent volume, and the lectures of Professor Henry Reed on English poetry and English literature are unequalled in their power of awakening in young minds the love of letters.

A most appropriate companion to either of these volumes is a book which in older classes a skilful teacher can make most interesting—"Five Centuries of English Literature," one of the well-known Tauchnitz series published in Leipzig (Leypoldt & Holt). At a moderate cost the young student has here at command the text of Wycliffe's version of St. John, one of Chaucer's "Canterbury Tales," extracts from Hawes, Thomas More, Spenser, Ben Jonson, Locke, and, finally, Thomas Gray. The careful perusal of this little volume would be no bad introduction to the history of English, presenting, as it does, the exact text of prolonged extracts.

As a manual of English composition, the very best which we have seen is the recent book of Alexander Bain, professor of logic in Aberdeen (Appletons). We are among the number of those who believe that the power of writing well is acquired by the study of good authors and by constant practice with the pen, rather than by the perusal of formal treatises on rhetoric and logic; but there are advantages in definite instruction on the principles of literary taste and the structure of sentences, paragraphs, and treatises. Blair and Campbell and Kames were once useful in this way, but they have long since been laid upon the shelf. Whately's essay on "Rhetoric," though never written for a text-book, has held its own against all rivals, because the author was not a maker of school-books, but an able and earnest man who wrote with all the freshness of a practised dialectician. His "Rhetoric" is a stimulating book to those who are learning to reason and argue; but for younger scholars and for those who would study other forms of composition the persuasive Bain's is a more useful manual. Day's "Rhetoric," in some respects, comes nearer to Bain's than any other work which we know. It shows a familiarity with some of the best German philosophical treatises on grammar and on aesthetics; but the style is too dry and technical for common classes. Bain is precise and philosophical, but not dry. He introduces an abundance of examples and illustrations, chosen, for the most part, with keen discernment both of beauties and of faults in composition. The treatise becomes in consequence a series of interesting critical remarks on the usage, good or bad as it may be, of distinguished writers. Moreover, its philosophy is good, and its opinions show common sense. Its study will tend to make accurate and vigorous writers, but not to make finical or sentimental critics. While the reader must not expect in this book much originality in the main course of instruction, he will not be disappointed if he look for acuteness of observation, freshness of suggestion, and an appreciative acquaintance with English literature.

There are two new aspirants for grammatical laurels. One of these, Mr. W. G. Tenney, has published a "Grammatical Analyser" (Appletons) which is a labored but not a successful attempt to exhibit the formation of words by the addition of prefixes and suffixes. The writer shows no acquaintance with modern linguistic investigations, and his scheme is by no means well arranged for showing the structure of the language, or for awakening a love of grammatical study. It would be easy to point out grave defects in the plan and execution of the work, but we forbear.

Kerl's grammars (Iverson, Phinney & Co.), of which there are three, First Lessons, Common School, and Comprehensive, profess to be original treatises putting the science of grammar "on a more simple, natural, and practical basis." The author is an enthusiast who goes about commending his own methods, and silencing, if not converting, those who differ from his views. There is a great difference of opinion among practical teachers as to whether he has really improved the art of teaching grammar or not. Some portions of his books have certainly the merit of simplicity, even to bareness of expression. Throughout the series there are copious illustrations of good and bad usage. Many of the technicalities presented in other grammars are omitted, and, by means of a variety of type, the essential and the subordinate remarks are clearly distinguished. But the author's use of English sometimes shows the stiffness which comes from studied

brevity, and in general we think that he errs by too frequently employing definitions when illustrations and descriptions would be of more service. Thus, he defines a relative pronoun to be "a pronoun that generally stands in close relation to an antecedent and joins to it a descriptive clause." What idea will that convey to a young scholar? In the smallest book there are six tables for illustrating the plural forms of foreign nouns; but the simple rule for distinguishing between the nouns in *y* which make the plural in *ies* (liveries), and those which make it in *ys* (keys, monkeys, etc.), is omitted. His explanation of the use of the subjunctive is much better than that which is found in most school grammars, but it is too succinct to be easily mastered by ordinary scholars in the common school. Fuller explanations of its significance in English, and especially a history of its use and of its disuse, would seem to us desirable. On the whole, we have formed a favorable impression of the value of Kerl's grammars, and when some of the innovations become familiar to teachers, we are confident that their merits will be acknowledged.

We defer a notice of some of the primers, which are constructed on new and attractive plans.

NEW LAW PUBLICATIONS.*

THE value of a legal treatise must be determined by the practical test of experience in its use as a daily counsellor. Under this test many books of fair appearance prove worthless; and some which have an unpromising look to the hasty reviewer prove most valuable. With this preliminary warning to our readers, we proceed to express the best judgment which we have been able to form upon the law-books now before us.

Professor Parsons's treatise on "Partnership," like most of his other works, has the great merit of a more thorough citation of English and American authorities than can be found in any other book upon the same subject. From these authorities he deduces rules of law, which he states in the text with general clearness and simplicity of style. His arrangement of the different subdivisions of the general subject is very satisfactory, strongly contrasting with his arrangement of his great work on "Contracts," against which we shall never cease to protest until he is induced to put it into something like logical order. The treatise now before us proves that Prof. Parsons can discuss legal propositions in orderly sequence if he will, and will make the republication of his work on "Contracts" without revision on this point inexcusable.

The author first discusses the general nature of partnership; then defines who are partners; states their mutual rights and remedies, and the rights and remedies between them and third persons; states the law as to real estate held by a firm, and shows how the firm may be dissolved; what is the effect of a dissolution, and what proceedings are had thereafter. The last three chapters are devoted to the subjects of limited partnership, joint-stock companies, and part ownership of vessels.

One criticism that we are led to make, perhaps from local feeling, is that Professor Parsons hardly gives adequate weight to New York decisions. We do not claim exalted ability for our courts, but the rules of law settled here, whether they are right or wrong, are decisive of the rights of parties in an immense proportion of the legal controversies of America. As an example of what we refer to, we mention the questions of a partner's power to assign all the property of the firm for the benefit of creditors, and of the liability of the partnership property to be actually seized for the individual debt of a partner; upon both of which points we understand our law to be opposed to the general rule laid down in this treatise, though it does not so appear with sufficient clearness by either the text or the notes. The careful reader will, however, find enough New York cases cited in the notes to enable him to satisfy his own mind upon these points by an examination of the authorities.

Mr. Raff's "War Claimant's Guide" is a useful compilation of the laws and regulations concerning applications for military pensions, bounties, back pay, etc., with a large number of carefully prepared forms. The author has had considerable experience in this branch of business, and we think his book can be relied upon.

The "Law Review" for January opens with a well-deserved though very severe criticism of Mr. Wallace's reports of decisions in the Supreme Court of the United States, showing that he is unable to comprehend the points decided by the court, or to state the facts of the cases with clearness or dignity. Mr. Wallace's appointment was generally welcomed by the

bar, under the impression that he was the author of some excellent criticisms upon other reporters, but he has been a deplorable failure, and we hope the court will no longer hesitate to supersede him.

Mr. J. C. Hurd contributes an able article upon reconstruction, which is well worthy of the attention of legislators, while it will interest all classes of readers. An article on "Estates upon Condition" shows the state of the law in this respect to be somewhat unsettled, and makes useful suggestions for reform. Eighty-four pages of digested decisions by the highest courts in England and America are alone worth the price of the whole magazine, while the book notices, summary of events, etc., are both interesting and instructive.

The New Gospel of Peace according to St. Benjamin. (New York: The American News Company. 1866.)—This satire is now republished as a bound volume, and will be purchased, we suppose, if by nobody else, by the collectors of the literature of the war. The preface and a not very large body of notes are new; the text remains, we believe, unchanged. The preface is devoted to an attempt at appearing to say, without in fact saying, that the work is not from the pen of Mr. B. G. White; to an account of the great success which it had when it first appeared, and to a defence of the work and of the style in which it is written against criticisms made in these columns. It was remarked in this journal at the time of the appearance of Book Fourth that a great part of the credit due such a performance was due to the writer who first employed the device of parodying the language of Scripture. This, it was said, the writer of the famous Chaldee manuscript had done, and it was further said that the biblical style was better preserved in that work than in this of St. Benjamin. Whereupon Mr. Grant White replies, and his reply is a part of the preface, that he had never heard of the manuscript in question till after "The New Gospel of Peace" was published. It is to be inferred that if Mr. White had not heard of it, the author of the "New Gospel" had not heard of it. To this it is enough to answer that both of these gentlemen might have seen a copy, and that it was so widely read in this country years before the rebellion that a critic would have done wrong if he had assumed that, far asunder as Mr. White and the modest author may have been, both of them had not read it in the "Noctes Ambrosianae." As to the respective claims of the two works in respect of accuracy in their imitation of scriptural language, we are clear for awarding the palm to the elder. A philologist would make sad work with the claims of either. But neither was addressed to philologists, and we are pretty confident that this passage, for instance, from "the Chaldee"—a description of snuff-taking—"and he took from under his girdle a gem of curious workmanship of silver. . . . And he took from thence something in color like unto the dust of the earth,"—this, we say, we feel confident will to the general ear sound far more biblical, even though to the eye it may seem less biblical, than such passages as this from the "New Gospel." Let us remark, by the way, that the latter has its first solecism on its title-page; it calls itself a *gospel*, though its manner and its matter cause it very much more to resemble a book of the Old than of the New Testament. As for the manuscripts of the Chaldeans, we do not know that they were not much the same as those of the Hebrews. But to our promised quotation: "For Robbuteeh will surely be victorious, and then shall the city of Gotham and the province of Gotham be without defence against him, and the end shall come the more quickly and the gospel of peace shall prevail, and the bonds of this nation shall be dissolved and I shall be a satrap in my province," etc. The minuteness of criticism which Mr. White has learned in his Shakespearian studies he brings to bear on this subject, and after saying that the writer of "the Chaldee" seems to be unable to think in the dialect in which he chose to write, he pronounces quite out of keeping such phrases as these: "Whereunto I may employ you," "put your trust under the shadow of my wings," "and by these means you shall wax very great," "and he framed songs," "that had put such amazing words into the book," etc. To us, we confess, they seem not nearly so unscriptural as expressions like these which we find in the "New Gospel": "and compromised themselves," "could not be conquered, no, not even by calamity," "ere they march," "a patriarchal land," "nether garments which are unmentionable," the word "satrap" in the passage quoted above, and two or three others which Mr. White himself discovered, as "a splendid despotism," "slavery," etc. But this subject had never any importance, and has ceased to have any interest. The work was often puerile, often bright, witty, bitter, and shrewd, but it was in its nature ephemeral, and is henceforth a book only for the curious.

Singin' Round the Circle. By Petroleum V. Nasby. Illustrated by Thomas Nast. (Lee & Shepard, Boston.)—We have already spoken somewhat at length of the characteristics of Mr. Nasby's humor and of his title not only to literary distinction, but also to the gratitude of his fellow-countrymen for his powerful exposure of the late Democratic party. We said then, in reviewing the first volume of his letters, that, unlike most of his fellow-humorists, Mr. Nasby improved as he went on; and the volume before us, comprising the letters for the year 1866, is a proof of the correctness of our position. It remains to add, since these later productions are still fresh in the minds of most people, that they are much more elegantly printed than the former, and that Mr. Thee Jones must certainly acknowledge the superiority of Mr. Thomas Nast's illustrations to his own. Mr. Jones's "laid pastor" is a figment of the imagination. Mr. Nast's is a type derived from the study of very corporeal men, with the seal of strong drink and "Democracy" upon their faces and bodies, and shares the peculiar merit of the text which it illustrates—absolute fidelity to the life, caricature without distortion, humor rather of selection than of representation or misrepresentation.

* "A Treatise on the Law of Partnership. By Theophilus Parsons." Boston: Little, Brown & Co. 1867.

"The War Claimant's Guide. By George W. Raff." Cincinnati: Robt. Clarke & Co. 1867. Price \$4.

"The American Law Review: January, 1867." Boston: Little, Brown & Co.

Articles on any of the subjects usually discussed in this journal will be received from any quarter. If used, they will be liberally paid for; if rejected, they will be returned to the writers on the receipt of the requisite amount of postage stamps.

All Communications which pertain to the literary management of THE NATION should be addressed to the Editor.

THE CRETAN STRUGGLE.

THE Cretan question has enlisted the liveliest sympathy of the whole liberal press of Europe. It is recognized, at length, as not a merely abortive revolutionary movement, but as the energetic and powerful resistance of a nationality that is struggling for its rights, of a people who are every day pitilessly butchered under the very eyes of the representatives of nations that profess to be foremost in progress and civilization. It began with the burning of villages and the reducing of their inhabitants to the last extremity of destitution; it has ended with becoming a desperate struggle for life—in a word, a war of extermination. The English Government, moved by the recital of the atrocities committed by the barbarous hordes of Mustapha Pasha, is said to have instructed its consul at Canéa to draw up an exact statement of the cruelties perpetrated by the Turks in Crete as impartial as his long acquaintance with the people will enable him to render it. And, accordingly, he is reported to have transmitted to his government a conscientious account of all that has occurred in that unhappy island, painting, in very sombre colors, a sad picture of its present condition, and giving a full description not merely of the acts of barbarity that have already come to the knowledge of the public, but of the unheard-of atrocities over which the enemies of Greece have thus far succeeded in drawing a veil. And the recent voyage of an English gunboat to Crete for the purpose of taking off the starving women and children from the island, together with the formation of a very influential committee in London for the purpose of receiving and forwarding supplies to the insurgents, gives a certain confirmation to these reports.

The cabinet of St. Petersburg, also, as we learn by recent advices from Athens, is said to have addressed a note to the powers by whom the Hellenic kingdom was originally constituted and is still protected, proposing the annexation of Crete to the kingdom of Greece. The cabinet of the Tuileries is said to have accorded a favorable reception to this note; but, not wishing to be outdone by any other nation in the recognition of that emancipation from a degrading yoke which the Greeks are contending for with a persistency and a self-sacrifice that are in themselves a guaranty of success, the Emperor is thought to have gone further, and to have proposed the annexation to Greece of several of the Greek continental provinces of Turkey.

These reports may not be true, and we fear they are not, at least not accurate, but it is evident that the public opinion of France and England is setting towards the policy which they indicate; for even the most unreflecting minds are becoming rapidly aware that if France and England would not alienate from themselves the Christian nationalities of the East, they must do something more than they have done hitherto to prevent them from throwing themselves into the arms of Russia. "Greece awaits her liberator; . . . he will win a noble crown of glory," wrote Napoleon from St. Helena; and sympathy with the Greek cause and an ardent desire for the rehabilitation of a people so remarkable for the persistency with which it has clung to its nationality, to its religion and its language for so many centuries, has always characterized the French people. And the same is true with England. English scholars and English liberals from the days of Byron have taken and still take the liveliest interest in the fortunes of this long-suffering but still aspiring race. The recent cession of the Ionian Islands to Greece, so honorable to English statesmanship, was but a sign of what the heart of England yearns to see done. It is an earnest of what it will do when, as we hope, it becomes a little more enlightened and ceases to have its clear perception of the inevitable course of events in the Eastern Mediterranean so clouded by its fears as it is now.

At the breaking out of the war of the revolution which, after eight years' desperate fighting—fighting like that in Crete, of which all the

records of antiquity furnish no parallel for its heroism and high resolve—a French statesman exclaimed that he desired no greater glory than that of writing the treaty of the deliverance of Greece with his heart's blood. And that sentiment has been the key-note, so to speak, of all liberal French thought ever since. But England and France, it must be remembered, have international alliances which hamper them. There are dark clouds on the European horizon of which, in our judgment of their conduct in this matter, we take, perhaps, too little account. There are difficulties in the question of Greek independence as it presents itself to them which we cannot understand, or rather do not make sufficient allowance for. Their policy, therefore, has been to civilize the Turk and liberalize Turkish institutions. But how shortsighted that policy is, the present revolution in Crete and the constant restlessness of the whole Christian population of Turkey sufficiently indicate. The truth is, Turkey is beyond civilizing so far as regards its rule over races as intelligent and progressive as the Greek. The time has come when the whole question must be looked in the face. England and France tried to look it in the face in 1852, and they brought down upon themselves the Crimean war. It is no wonder, therefore, that they shrink from interfering in the present struggle, the issue of which no man can foresee. They do not wish to repeat the terrible experience of Sebastopol, and therefore they hold off.

And nothing, perhaps, could be more opportune for the Greeks than just such a state of things. They are able to win their own liberty if left alone. It may seem extravagant to say so; but with Turkey steadily decaying as it has been in moral power, bankrupt as it is in material resources, the Greek race, energetic, quick-witted, with a splendid future to reward them and an invincible determination to sustain them, are to-day quite a match, if properly organized and properly encouraged by the friends of liberty throughout the world, for all the forces the government of the Porte can assemble. Even this comparatively small island of Crete, toward the close of the great struggle in 1829, had been so far successful, by its own almost unaided efforts, as to have driven the Turks to such extremities that in a week longer they would have been forced to abandon the island or to perish in their last stronghold, when, with a barbarity hardly paralleled in diplomatic history, the Allied Powers stepped in and gave the island over to Egypt, by whom it was afterwards restored to the Sultan.

What the Cretans did in 1829 they can do to-day. They had our sympathies and our aid then; let them have it now. They ask us to feed their starving wives and children for a little time until they can have closed with the Turk in one deadly embrace, without the sickening thought to paralyze their arms that all they hold dear are abandoned to the ruthless brutality of a foe that spares neither sex nor age.

England and France are restrained by considerations which can have no weight whatever with us. We are free to act as well as to speak. No international law forbids us to feed starving women and children who have taken refuge in a friendly country. And let us remember that in aiding the Greeks we aid in building up a free people, a people that, having bought its liberty with its life-blood, will know its worth; that we aid in organizing and sustaining free institutions in a region now abandoned to a tyranny more blighting than any ever known in Europe; and that in diffusing democratic ideas in the East we strengthen them immeasurably in the West.

We hope to see committees formed in every city throughout the country, and generous aid go forward at once to these heroic people. They do not ask for arms or ammunition, but only for bread.

WHY THE SOUTH CANNOT ACCEPT THE AMENDMENT.

WE publish in another column a letter from "A South Carolinian" which, though it contains nothing very new, puts some old things in a very clear light. The article which called forth his letter seems to have struck him as the revelation of some recently conceived and desperate designs on the part of the majority, inasmuch as it declared roundly that they would, in the long run, have their own way in the government, constitutionally, if possible; but if not possible, unconstitutionally. Now, that this should be news to any Southerner of educa-

tion, we confess surprises us. This is the doctrine which John C. Calhoun and every one of his followers have been preaching for forty years, and which every politician in the South has for the last twenty years professed steadfastly to believe. Moreover, it was, according to their own account, because they believed this that the Southern leaders determined on secession. They said there was no security for the rights of the minority in the Union; that the numerical majority of the North had ceased to respect their constitutional obligations; and there was, therefore, nothing left for those whose interests were thus endangered but separation. So that "A South Carolinian" asks a little too much when he asks us to believe that he has now for the first time heard that there was some risk of the North refusing to be bound by the letter of the law in dealing with the revolted States. There is, undoubtedly, on the part of the Northern people, the strongest desire to do all things constitutionally. Respect for the Constitution has been, in fact, with the great mass of them carried to the verge of superstition. All through the war even, when everything had been in reality left to the arbitrament of the sword, their efforts to fight legally, to find a justification in the books for the various acts committed in the field, were amongst the most remarkable and interesting features of the struggle; and, finally, when everything had been done that could be done to make the Constitution meet the emergency, and the case still remained desperate, the "war power" was devised for the satisfaction of tender consciences, and under it the nation was saved after the lawyers and metaphysicians had licked it into a decent resemblance to a legal doctrine. In reality, however, the "war power" was nothing more, when put into plain English, than the determination of a nation not to be strangled—to save its own life at whatever cost. It was only near the close, however, that this was acknowledged, and the reluctance there was to acknowledge it at all was, perhaps, the most striking illustration ever offered of the respect of the majority for the forms of law.

The South seems to have expected, it is hard to say why, that it would be impossible to drive the Northern people to this extremity. When the Southern senators and representatives left Washington, they seem to have supposed that all that was necessary to secure the peaceful establishment of the Confederacy was proof that the Constitution made no provision for the coercion of States, and this little task they left to Mr. Buchanan and other Democrats, who did the work reasonably well; but it had about as much effect on the course of events as Dr. Lardner's demonstration that a steam vessel could not cross the Atlantic has had on ocean steam navigation. The States have been very thoroughly coerced without, we venture to say, one thousand of the two millions of men who took part in the enterprise ever troubling their heads seriously as to whether the war was a constitutional war or not. Every one asked himself, it is true, Is this lawful? but every one was satisfied if he was shown that it was necessary. What was necessary was done; and this, let us add, is the only mood in which a people can in supreme moments, when their all is at stake, achieve great things. Had they been animated by any other feeling, the Northern people would have bequeathed to posterity a ruined continent divided into warring states, an indefinite postponement of free government, the raw materials for a ferocious despotism based on the degradation of the poor and weak, and some fine editions of the Constitution and of the Federalist, with the commentaries thereupon of Mr. George T. Curtis and of the *World* newspaper, all of which would have remained to the remotest ages a lovely but somewhat ridiculous monument of the popular respect for legal traditions.

"A South Carolinian" expects, now that the war is over, the majority shall resume its old chains, and not only behave constitutionally up to a certain point, but agree to behave constitutionally under all circumstances and for ever. That is to say, he thinks the South ought to be bound by the Constitution when it suits it, but the North ought to be bound by it always. The South formally refused to be bound by the decisions of the Supreme Court, and appealed to the sword, and the sword having decided against it, it wants to get back into court and begin the old arguments as if nothing had happened. Now we have no doubt angels could carry on controversies in this way. Beings devoid of human passions and prejudices, and

blessedly ignorant of the ways of this wicked world, might be willing to carry on a struggle with the South for the settlement of the organic law of the nation, even when they held in their hands overwhelming superiority of force, sometimes by fighting and sometimes by arguing, just as the South might find it convenient. But the Northern people are not angels; they are men governed by human motives and swayed by human passions. The South, it is true, is placed at their mercy by the result of a bloody conflict. The ordinary penalty of such a defeat is the execution of leaders and extensive confiscation of property. No such penalty has been inflicted. It is useless to say that this was not an ordinary rebellion; no rebellion is in the eyes of the rebels an ordinary rebellion. All rebellions arise out of a disputed title to sovereignty. It is true that "the armless sleeve," as our correspondent says, "cannot strike, and would not if it could." But a man's losing his arm does not involve the loss of his brains. He can still think about the terms he ought to make with a victorious enemy. The South, on its own theory, carried on the war as an independent power, and its armies surrendered *as armies*, on the mere condition of personal immunity for officers and men; the terms of political settlement have still to be made, just as they have to be made after any other war. The Confederate Government having disappeared, the negotiation has to be conducted with the separate States, and Congress has offered these States certain terms of peace and reunion which are now under debate. "A South Carolinian" says we may impose these terms, but we must not ask the Southern people to agree to them, because this would be asking them to be the instruments of their own degradation.

It is really difficult to treat this argument seriously. Were it sound, no treaty of peace would ever be made or have been made at the close of a war. Nearly all wars end in one of the belligerents getting the worst of it and having to ask for terms. These the victor invariably prescribes, and they are harsh or mild according to the extent of his victory. If the vanquished is utterly incapable of further resistance, they are such as humanity and sound policy may dictate. If the vanquished has still the means of protracting the struggle, he is usually allowed to make proportional modifications in them. When after the disastrous day of Novara, to borrow from the history of our own time illustrations such as all history abounds in, the Piedmontese found themselves with a ruined army, an exhausted treasury, and a defenceless capital, and the Austrians offered them peace upon payment of the expenses of the war, what would the world have thought of the Piedmontese Government if it had refused to pay the indemnity, told the Austrians to collect it themselves, and declared with fustian dignity that it would not be the instrument of its own degradation? Would not all Europe have laughed a horse-laugh? And when the Prussians the other day broke the Austrian power at Königgrätz, and had Vienna almost within range of their guns, and called on Francis Joseph to pay their costs, give up Venetia, and retire from the German Confederation, in which his house has for five centuries played the foremost part—does anybody suppose that he did not writhe and groan when he consented, and that the proud aristocracy who have bolstered up his power on so many bloody fields did not share his grief and humiliation? But what should we have said if he had replied: "Do your worst; I will sign no treaty. Drive me out of Italy and the Confederation if you please, but my pride will not allow me to retire; levy contributions on my subjects if you choose, but do not ask me to degrade myself by paying you a kreuzer out of my treasury"? Would not his own subjects and family on hearing talk of this kind have pronounced the Kaiser crazy, and deposed him? Who are the Southerners that they cannot, after defeat in the field, accept fair terms from the victor? What is there in their origin or history or character or achievements to make it impossible for them to do what the bravest, most accomplished, most famous, and proudest men of all ages have done without a murmur, and without a suspicion of disgrace or dishonor? What nation so completely defeated as the South has been has ever had as good terms offered it by the victor? And what nation is there which, under similar circumstances, ever refused terms half as good? Is there no common sense left amongst the adherents of the "Lost Cause"?

WHAT WE PREDICT AND WHAT WE ADVOCATE.

THE *Evening Post* seems to be either troubled or puzzled or outraged by the opinions of THE NATION on the subject of the powers and disposition of the majority as regards the Supreme Court and the Constitution. A weekly paper labors under heavy disadvantages in carrying on a controversy with a daily one, as the latter has the argument all its own way for five days, or, in other words, as long as the public cares anything about it; but nevertheless, at the risk of being once more saddled with an epithet next Friday afternoon, and having to carry it till the following Thursday, we shall restate our position.

We know as a matter of fact that there is a point of danger or difficulty at which a people will not be bound by a written constitution. There never has been a constitution drawn yet which has not been disregarded in times of great national peril. The Magna Charta even has been treated as a nullity as often as the public safety required it. The Federal Constitution was systematically disregarded during the war on the plea that it, by implication, provided for its own suspension in dangerous crises. For instance, Mrs. Surratt was illegally tried and illegally executed in defiance of the *habeas corpus* and of the courts. This is not our opinion only. It is the opinion of the Supreme Court, and the conduct of the Government in this illegal action had the approval of nine-tenths of the people.

We predict that the North, having fought for and won the right of reorganizing the Union on the sure and lasting foundation of certain great principles, will respect the forms of law and the decisions of the Supreme Court as long as there is a fair prospect of gaining its ends in the regular constitutional way, but that whenever it shall appear that there is no hope of reaping the fruits of the war by regular means, the majority will not be bound by the opinions of the court on great questions of public policy. We predict, for instance, that should the Supreme Court, in the Alabama case now before it, decide against the policy of Congress, or should it declare the Civil Rights Bill unconstitutional, its decision will be treated just as its dictum in the Dred Scott decision was treated. If anybody asserts that we are wrong in this, there is no use in arguing about it. A prophet cannot be refuted. The resource of those who do not like his prophecies is to disbelieve him.

We advocate, therefore, the speedy concurrence of the South and of the Northern minority in the passage, by regular constitutional modes, of such changes as the majority has evidently set its heart on, and has determined by hook or by crook to carry into effect, if these changes would really afford better security for personal liberty and for equality before the law, which, we beg leave to say, are the two things for which this nation exists. As long as there is the shadow of a hope that these things can be secured by regular constitutional methods, we are in favor of ordinary agitation; and we may add that our disposition would be to continue this kind of agitation until even the *Evening Post* got tired of it. But then there are large numbers of very influential people whose temperament is more ardent than ours, and who believe, which we do not, that they could frame, if they got on the Judiciary Committee of either House, a better government between a late dinner and an early tea than the wit of ages has ever imagined. Who these gentlemen are it is not necessary for us to say. But they exist and have a great following, and we are in favor of having all that is reasonable in their demands granted as speedily as possible, for the reason, amongst others, that we have a very high opinion of their destructive powers and a very poor opinion of their constructive powers, and that we believe that every day that the present "Conservative" resistance is protracted aids them in bringing courts, constitutions, and legal forms into greater and greater contempt. We rate Mr. Thaddeus Stevens as a legislator no higher than the *Post* rates him, but he holds in his hands principles which the country deems sacred, and as long as he holds them and asks in vain for their legal recognition, the masses will follow him, Jack-o'-lantern though he be, through any number of political quagmires. The best political friends of Mr. Stevens and Mr. Phillips just now are those, of whatever school of politics, who deride their claims and arguments. Their worst political enemies are those who urge the concession of their demands by regular constitutional process. If they

should hereafter get tired of long waiting, break loose and smash a few "constitutional bulwarks," we shall, however, be no more responsible for the mischief they do than for the Cretan insurrection or the low price of wool.

THE MILITIA SYSTEM.

It is the opinion of certain writers that it is essential to the happiness of mankind that they be amused with some sort of humbug or other; that the great question is to furnish them with as harmless and inexpensive a one as possible; that it is of no practical importance what it is, so long as people do not actually believe in it, but only think they believe in it; and that the greater humbug it is, the more solemnly should it be discussed and the more tenderly treated by the few who know it to be such. Believers in this theory will be apt to have their faith confirmed by much that is said and done in regard to the militia system, which, in its present form, is a humbug peculiar to the English-speaking race. This, however, can be said in favor of it, that if, in times past, it has not done much good, neither has it done any particular harm. But now that in this State it is becoming colossal in size; now that it yearly gathers into its maw hundreds of thousands of the public treasure and constantly cries for more; now that men begin to talk and act about it as if they really had faith in what they were saying and doing: in view of all these things, it is high time to examine the nature and pretensions of this system which, not content with adding grievously to the burdens of the State, threatens now to add to those of the nation also.

The governor, in his late message, states that the effective strength of the National Guard of New York consisted, on the 1st day of December, 1866, of 104 regiments of infantry, 3 regiments of cavalry, 1 regiment of artillery, 1 battalion of infantry, 2 battalions of artillery, 3 batteries of artillery, 1 battalion of cavalry, 1 independent battery, 2 light howitzer batteries, and 1 squadron of cavalry. He makes the standard and approved remarks in regard to the advantages of a well-disciplined citizen soldiery, and takes occasion to say that had we been better supplied with such organizations at the beginning of the rebellion, its suppression might have been a work of months instead of years—a cheap phrase which, absurd as it is, has done more service since the close of the war than any militia regiment ever did during the progress of it.

Yet every one who has made but a superficial examination of this matter knows that this imposing force exists only on paper. Every one knows that outside of cities there is in it neither company nor battalion drill; and that even in cities there are but a very few regiments where either kind of drill is kept up with such spirit as to render their members proficient in the service. Every one knows that in time of war it is a very peculiar state of affairs when the rank and file of a militia organization can be got to take the field in a body for even a few weeks; that when ordered out, the places of a large number, unable or unwilling to go, are always filled by raw recruits. Every one knows that the penal provisions of the statute for securing the efficiency and discipline of the State troops are never carried out, and, moreover, that they never will be carried out. Every one knows that during the rebellion, when militia regiments were ordered to the field, their members, in manifold instances, refused to go, well aware of the fact that, so long as they were not mustered into the national service, they could not be tried for their conduct by United States officers, and feeling secure against the result of any court-martial managed by State officers. Every one knows that the money raised from the vexatious taxes and fines imposed upon citizens for not performing military duty has never added one dollar to the revenue of the State, has never furnished it the slightest aid in defraying the expenses of its military establishment, and, indeed, has never got beyond the pockets of the officials directly or indirectly concerned in its collection. Above all, every one knows that in case of war we should not, for the purpose of carrying it on, rely upon the militia regiments now formed or forming, but upon volunteer organizations that will then spring up of themselves.

Every one knows these things. Yet every governor in every annual message dwells in the stereotyped phrases on the necessity of a well-organized militia to the security of the country. Every newspaper

takes up the solemn theme and calls for the adoption of some plan, it has no clear idea what, which will enable us to enter upon any future war with a vast, well-disciplined, and well-appointed force at our command. Every legislature appropriates money, and of late has begun to appropriate large sums of it, for the maintenance and increase of the military establishment of the State. Not content with this, a bill has now been introduced into Congress to add to the legitimate functions of the War Department the costly, cumbersome, and utterly inoperative machinery of a national militia system.

The popular delusion in regard to the value of this system has mainly sprung from the success of a few volunteer military organizations in some of our large cities. To such places such organizations are both important and necessary, because, however lacking they may be in themselves in discipline, *matériel*, or *personnel*, they are almost certain to be always far superior in all these points to the bodies of men against which they need at times to be used. But it must not be forgotten that such organizations are not indebted for their existence to the State, nor for their prosperity to its fostering care. They are not the result of enactments made by legislatures. They do not owe their efficiency to appropriations made in their behalf. They are simply the outward expressions of that inherent love of military life and taste for military pursuits which are peculiar to the people, and which always manifest themselves in some manner wherever large numbers of young men are massed together, where opportunities for meeting and drill are frequent, and where the rivalry of different bodies tends to give to every member of each one a personal interest in its success. They will flourish without the State; indeed, it may almost be said that they will flourish in spite of the State. It should certainly be the aim of every government to encourage and strengthen all such organizations, where they do exist, by every method consistent with a wise economy. But it should not fall into the common mistake of imagining that by the granting of privileges and subsidies it can create similar organizations anywhere. For though such organizations will succeed in cities if the State does nothing for them, they will not succeed in the country if the State does everything. For none of the conditions which conduce to the success of military organizations in the city exist in the country. There the situation is far different. Young men are comparatively few in numbers, and, moreover, they rarely remain long in one place. They live at distances too far apart to meet for frequent drill. In summer most of them are employed during the day in severe bodily exercise, which leaves them too much exhausted for any exertion at night. In winter, suitable and convenient places for assembling are usually procured with difficulty, and even if at all, are procured at an expense which the volunteers cannot, and the State would not and should not, be called upon to defray. The regimental organization extends at present by statute over an assembly district, and must, under any circumstances, extend in the country over a large tract of territory; and it is simple folly to say that there can ever be any battalion drill worth speaking of when the members of a regiment are scattered over an area of several hundred square miles. No *esprit de corps*, the life and soul of volunteer organizations, can possibly be infused into men who do not meet often enough to know their officers or to feel that they are either learning or doing anything of value to themselves or to others. Militia regiments, in consequence, have in the country always been a failure; practically they have never existed save on paper; and their nominal members can rarely be persuaded or forced into attending even company drill. It is not a matter to cry over. The people act with common-sense, however they talk; they have it, whether it finds expression in their laws or not. They see that in time of peace military organizations outside of large places are not desirable, and, if desirable, not possible; that in time of war no militia regiment ever takes the field for any but the most limited period; that if it apparently does so, it is only apparently, inasmuch as it is a new regiment which goes out under the old name, rank and file and officers of the line and officers of the field and staff being so completely changed as to leave visible scarcely the least trace of the skeleton of the original organization.

The delusion in regard to the benefits derived from the system has, moreover, of late been fostered in part by the exaggerated notions that prevail in regard to the operations of the militia during the rebellion. Without detracting from the real value of the work done by some of

them, we say that in the main they were the most useless and expensive regiments which the Government ever had in its pay. Yet an imaginary importance has been attributed to what they did from the fact that they were usually called into the service at a time when the War Department was straining every nerve to increase the offensive strength of the army, and desired to withdraw all veteran troops either from places where there was no danger but where there might be, or from places where there was need to keep up a show of strength though not its reality. In addition to this, the exaggerated ideas of many of those who went out under such calls as to what they had seen and suffered increased the common belief in the value of what they had done. For it is a notorious fact that the shorter time a man has been in the field, the more terrible have been the hardships which he has endured and the greater the services which he has rendered. This is a natural feeling, and gave to many an unwarranted notion of what they and their regiments had accomplished which a fuller experience would have removed. The impressions produced in their minds they, however, communicated to others. And even now there are many persons who honestly believe that the victory of Gettysburg was in good part due to the timely arrival and heroic efforts of New York militia regiments hurried to Pennsylvania by Gov. Seymour; who cannot be persuaded that not a member of one of those regiments was within gunshot of the battle, or even within hearing distance. In truth, Gov. Seymour himself seems to be of that opinion; though it would be hard to convince of the fact any of the much-worn men who, while anxiously but vainly waiting during those long three days for the succor rumored to be on its way, felt that there existed no North save that which was under their feet.

Let us by no means be understood as advocating the giving up of the militia system entirely, or as denying not simply the importance but the absolute necessity of maintaining volunteer organizations in time of peace. But it is a useless and foolish waste of time and money to attempt to make that universal which from the nature of things can only be local; to spend millions in constructing elaborate machinery which at the first shock of war will all be thrown aside. It is not desirable to incur a vast expense in securing objects which can just as certainly be obtained for little or nothing; or to add to the already complicated labor of the War Department the unprofitable task of breathing the breath of life into that senseless model of a military establishment, a national militia system.

A BOSTON NOTION.

WITHIN the last thirty or forty years, and in Massachusetts even, many a youth thirsty for knowledge has had for his whole library not more than three or four books. And very likely many an elderly man can bethink himself—as his children, living in Boston, freely range over the hundred and thirty thousand volumes of the Public Library, not the least of that city's many glories—of the farm-house days when he used to count himself happy that the family Bible, besides the Old Testament and the New, contained the Apocrypha, unsuggestive of preaching, to delight him with the downfall of boasting Nicanor and profane Antiochus, and to charm him with the wonderful history of Tobit—a virtuous man indeed, but not in strictness a Bible character, and whose story was, perhaps, boys being rebellious, none the worse “for example of life and instruction of manners” that acquaintance with it was made not in Sunday-school, but on the floor in the Best Room. Now and then, as the eldest daughter of the house, week in and week out, brings home some blue and gold poet, or the “Flower-de-Luce,” or Hard & Houghton's “Lalla Rookh,” perhaps he reminds himself of his garret readings in the one old canvas-covered volume, his grandfather's before him, an odd one of a set, which nourished his youthful mind with what succulence the age of thirteen could find in Dr. Edward Moore and David Mallet and John Dyer; days in which John Gay gave him “Æsop's Fables” in verse, for his benefit as well as the infant royal duke's, and applied the morals to the times of George the First; when Lord Lyttleton and Mr. Shenstone had, indeed, made him a sufficient Damon or Paridel or Daphnis, but he looked round the meeting-house in vain for any Phillis or Daphne, disdainful or kind, to whom he might apply the song he admired:

“See Daphne, see, Florello cried,
And learn the sad effects of pride;
Yon sheltered rose how safe concealed,
How quickly blasted when revealed;”

when he knew by heart several versions of “The Death of Hercules,” when

Mr. Cawthorne addressed him in numbers such as the following, and taught "The Regulation of the Passions, the Source of Human Happiness":

"Passions, like colors, have their strength and ease,
Those too insipid and too gaudy these;
Some on the heart, like Spagnoletti's, throw
Fictitious horrors and a weight of woe;
Some like Albano's"—

do something quite the contrary for a reason which his memory may probably fail to recall.

It is true that if he is philosophically inclined, and has a Bostonian belief in the great Emersonian doctrine of compensation, he may refuse to mourn that he was confined in that arid waste to browse on twigs so dry, and reflect that better food might have been put to worse uses and brought him calamity; that but for the chill penury of these forgotten bards, which repressed his noble rage, he might himself have been a writer of poems. Nevertheless, he will rejoice that such days as his are gone; that his boys and girls, if they know none of them by heart, can have dozens of Tennysons for one Akenside; that they may look, if they like, at stereoscopic views of

"The Theban obelisk
Immense along the waste; minuter art,
Gliconian forms, or Phidian, subtly fair,"

which he could only read about, seeing them very dimly in "The Ruins of Rome;" that each subscribes to a magazine, and that he even has to sign a petition to the city school committee praying that pupils may not be required to study out of the regular school hours.

We have seen recently a private letter of which our supposititious parent, in his childhood's days and famishing in his dearth of books, could have hardly dreamed. It was written by an influential member of the Examining Committee, which has just reported to the city of Boston on the condition of the noble library which we have already mentioned. It contains his view of the use to be made of libraries. He says that he is "every year more and more persuaded that people ought to give up the old notion of anxiously protecting books, in favor of the better one of getting as many books as possible worn out by fair use." For, in his opinion, to which our friend will now assent, though once he might have wondered at it, "the great difficulty about libraries, public and private, is to induce people to read the books in them, and that we must go out into the highways and hedges for customers. At any rate, we must get as far as possible away from the habits of the Middle Ages, when the manuscripts were chained, very properly I dare say, to the desks where they were to be used—just as they still are in the Laurentian Library at Florence."

The Boston people seem to be of his persuasion, for their fine collection of books, to which the year 1866, the fourteenth of its existence, added about nine thousand volumes and four thousand pamphlets, may be said to be absolutely free to all residents of the city. And if any reader entitled to the privileges of the institution desires a work not already among its stores, a printed notice in every book which he borrows informs him of the way to proceed in order to gratify his wish. He is urgently requested to fill out a blank form, which the librarian furnishes him, with the name of the work desired, and if there be no moral objection to its acquisition and it be obtainable, it is obtained and a notification of the fact sent to the person who asked for it. The published report says that during last year three hundred and six books were thus asked for, that forty-six of them were already on the shelves, one hundred and thirty were ordered and are now in the library, one hundred and twenty-eight were ordered and will arrive, and only two were not ordered. From the fact that two only out of three hundred and six were considered objectionable, and from the fact that in the list of newspapers kept in the reading-room we find the name of the *Investigator*, it may be inferred that no bigoted or sectarian standard of what is morally objectionable is applied by the committee.

The same anxiety to make the library fulfil the intention of its founders—"be what no other library in the world has either attempted or desired to become, a powerful and direct means for the intellectual and moral advancement of a whole people without distinction of class or condition"—is evinced in the pains taken to save the borrowers from trouble and expense and loss of time, and the library from loss of books. Every volume taken out may be kept twelve days, and as it is taken out the borrower's name and address are set down. The date of borrowing is stamped on the cover, that the book itself may be a reminder of the time when it should be returned. If it is kept out till the thirteenth day, the borrower is warned by mail that he is incurring a fine of so many cents a day by its detention, and that after the eighteenth day has gone a special messenger will be sent for it at his expense. During thirty-five days of which the report speaks, after this system was adopted, the whole number of books lent was 29,352; the delinquents whose cases were referred to the messenger numbered 82; the books recovered

were 40 in number. This system will very greatly diminish, in the future, the likelihood of losses and injuries. Reliance must perforce be placed, unless the character of the institution is to be changed, upon the honor and honesty of the population of the city. At first, and for four or five years, the result of so doing was a matter of pride to every Bostonian, and though of late there has been a change for the worse, the state of affairs is not now in the least discouraging. The alcoves containing works of fiction are, of course, most exposed to misuse and depredation. In fourteen years they have lost 1,678, and the number which had to be condemned as worn out or as odd volumes was 1,029. Of those two classes 940 books have since been returned or had their places supplied by the purchasing committee. In other departments the losses are very much less; out of the Bates Hall, which contains 105,312 volumes of the 130,678 comprising the library, only 43 have been lost during the past six years, and a part of these it is said will be returned. A part of the remedy for this evil, as we have said, will be found in the new system of recording books and of providing for their return; the committee propose, further, that the Legislature be asked to apply some suitable penalty which can be readily enforced in all cases of gross and wanton abuse.

We have mentioned the reading-room. A change not long since made in the management of it has excited a good deal of comment among the Bostonians, but seems to be justified by the statements of the report. If we are not misinformed, even the sacred precincts of the British Museum, an institution not exposed to the inroads of a democratic population, have been invaded by persons whose behavior was incompatible with literary labor or with comfort. Penderennis, let us say, goes there to read up for one of those articles the erudition of which is to astonish his mother and Laura. By-and-by Miss Blanche Amory enters. Open flirtations, it is said, are carried on; love is made and small talk talked in the reading-rooms, and women constantly and unnecessarily come there for fictions, till the steady old habitués are bitterly exasperated, and the authorities are anxiously considering what can be done to restore peace and quietness to their disturbed domain. A like evil has afflicted the serious frequenters of the Boston reading-room. Worse than that—as anybody and everybody, strangers as well as citizens, boys and school-girls as well as men and women, could go in and out without question, it was found that periodicals were stolen and scribbled on, that peaceable reading was impossible, and that the room presented rather the appearance of a receptacle for refuse pamphlets than an orderly apartment for study and silent amusement. So of late the magazines, instead of being spread out on the tables, are stored in desks and placed in charge of an official, and whoever would read one, sends up a card with his name on it, and an attendant quietly brings him what he wants. The trouble, so far as the writing goes, must be very slight to the reader, and attendants in libraries are not always in the nature of necessary evils. We know of a library in Brooklyn, and there is another, a famous one, in this city, where the borrower is made to feel that the loan of a book is a great favor. Would that such grudging dispensers of a wisdom that is not theirs were willing—we use a metaphor which, though a vulgarism, he will not disallow—to take a leaf out of his book, the suavest and most courtly of men, whom we remember as custodian of a college library not very far from Boston! An attendant, it is possible, may be civil, and he may know something of the library, and he may be a help rather than a fussy hindrance. Of those in the Boston library we have pleasant recollections, and if they are still what they were, we are at a loss to know why objection should have been made by any reader to the plan of the committee. Opposition, if it still exists, will probably not last long. The statements of the report seem to furnish complete justification for the change. Readers can now find what they want, the superintendent says; the room is quieter, magazines are no longer defaced or pilloined, and we are glad to hear that "the groups of idle boys"—"unknown quantities of idle boys" might be a fitter phrase—have been "eliminated." The making of love in the room, to the distraction of everybody's attention and the disgust of the right-minded and married, is not mentioned as having been among the evils formerly existing in Boston and now removed. But we should suppose that on either side of the water a policeman or two would be found efficacious, and we offer the suggestion to the management of the British Museum.

Turning over the leaves of the report, we find several facts of interest besides those which we have given above. The total number of lendings this year was 193,187, and as the number of days during which the library was open to the public was 278, the daily average of lendings was about 695. The circulation increases with each year. In 1866, the works lent belonging to the department of English history and literature were 18 per cent. of the whole number lent, a heavier percentage than is shown by any other department. The English Patent Specifications, which are not lent for home use but must be used in the Bates Hall, were called for by

187 persons, and the whole time of their use was 249½ hours. No record was made of the use of periodicals or of a collection of atlases, cyclopædias, dictionaries, gazetteers, and other works of reference numbering several hundred volumes.

Of course it is not possible to estimate with accuracy the value of an institution such as this, which does its work upon the minds and hearts of men. It is safe, though, to say that its results are immeasurable, not only because they are of a kind to elude estimate, but because they are so great as to be immeasurable; and the whole history of this grand public charity, if that name may be given it, shows that in Boston, at any rate, it is determined to trust the people and to keep them fit to be trusted. Certainly there seems little danger that the mediæval management or the mediæval use of a library will ever be in vogue there. When will New York have a free library? Or, to put the question in another way, When will Boston have free fights in her Common Council room?

PARIS GOSSIP.

PARIS, Dec. 28, 1866.

AT this present writing all Paris is doing its New Year's shopping. The crowding in the fashionable thoroughfares is as dense as usual; the broad sidewalks of the Boulevards, narrowed for the time by the rows of booths, ignoble but characteristic, erected along its edge, being well-nigh impassable. The representations of the Infant Jesus in the manger, life-size and lit up with wax tapers, have yielded their usual sum of delight to the children of the capital; the midnight masses, with their impressive and beautiful music ushering in the Christmas morning, have been followed, according to custom, by the festive supper of the *Réveillon*; and Christmas day has witnessed the usual concert of dinner parties, with imitations, more or less successful, of English plum-pudding, followed by the lighting-up and rifling of Christmas-trees, borrowed from "the Germans' Fatherland," that is at last so rapidly developing into the long-dreamed-of Empire of Germany. The customary homage to tradition having thus been paid by the capital, its energies are now devoted, and will be so for another week, to the business of admiring the countless charming temptations so lavishly displayed in the shop windows, and which will be gradually appropriated by those whose purses enable them to purchase as well as appreciate, after being longingly stared at by those to whom fate has been less propitious.

To attempt an enumeration of the wonderful display of the season would be simply to make of this letter an abridged catalogue of an industrial exhibition; suffice it to say that, while the manufacturers of costly and elegant trifles seem to have surpassed themselves in every department of varied industry of this busy city, Susse, Giroux, and Siraudin, as usual, divide between them the palms of popularity. The Emperor and Empress have been amusing themselves with their usual Christmas inspection of the two renowned repositories of elegant trifles, and have bought largely at each; and the Prince Imperial has laid in a large store of the ingenious mechanical toys in which the second of those great houses is without a rival. Giroux's needle-guns, especially, are "the rage" of the season among the boys, as are his mechanical dolls among the girls. These dolls pronounce several words with tolerable distinctness, roll their eyes, cry, and work their legs and arms after the fashion of angry infants. They have beautiful long hair that can be combed, curled, and made up into a fashionable *chignon*; and they are provided with a house full of furniture, including beds well furnished with sheets and coverlets, and chests of drawers containing an ample store of all the elements of a fine lady's toilette. Some of these new-fangled dolls, with their accessories, cost several thousand francs, and find purchasers. The attention of the public is pretty equally divided between the gay little ladies of Giroux's grand display and the brilliant collection of dolls at a neighboring establishment, got up in exact imitation of the various epochs and leading personages of French history.

As for Siraudin, the renowned poet, deputy, playwright, and inventor of marvels innumerable in the sugar-plum line, his establishment, under the auspices of his partner, Rheinhard, a kindred and congenial genius, comes out this year stronger than ever. No other confectioners come within gunshot of the achievements of these unrivalled makers, whose "creations" are works of art in their peculiar line. To say nothing of a hundred other wonders, their new *bonbons*, named after Goethe's "Mignon" as "done into music" in Ambrose Thomas's new opera, and those which have the exact flavor of fresh cherries (most fugitive of all fruit flavors, and hitherto the despair of confectioners), are melting marvels which it would seem impossible for even their skill to surpass. The coffers, cabinets, boxes, and baskets, in ivory, ebony, mother-of-pearl, and marquetry, in pearl-embroidered satin, cloth of gold and silver, and every other rich material, ornamented with

carvings, incrustations, paintings, jewels, and destined to contain these sugary *chefs-d'œuvre*, are miracles of taste and workmanship, but, alas! as costly as beautiful. And as, in this city of display, gifts are apt to be prized in the ratio of their worth in money, the value of these splendid objects, for the offering of which the artistic sugar-plums form a convenient pretext, is often still further enhanced by the presence of a lace handkerchief, a Cashmere shawl, a bracelet, or other costly element of the feminine toilet, ingeniously hidden under the *bonbons*. As usual, the distinctive feature of Siraudin's display is a couple of great dolls, got up with an utter disregard of expense, and, as usual, all Paris is flocking to look at them, and forming a *queue* outside the shop, as is done at the doors of the theatres. The two little ladies who have thus succeeded to the honors of "The First and Second Empires" of last year represent "The City of Paris" and "The Exhibition of 1867." The busts of these dolls are by Talrich, rival of Mme. Tussaud in the world of wax-work, and are faithful likenesses of two of the most renowned beauties of the day, of whom one is said to be "la plus jolie de nos femmes galantes," and the other "la plus galante de nos jolies femmes." The dresses are by Madame Baron; that of "La Ville de Paris" is a perfect miniature, in rich brocaded silk, of the narrow skirt and long train in vogue just now, set off with a profusion of diamonds; that of "L'Exposition de 1867" is of white satin, spreading out to an immense width, and embroidered red over with the arms of all nations of the planet. From the waist hang *oriflammes* of satin of all the colors of the rainbow, on which are embroidered, in gold and silver, the attributes of the various arts and industries. The head-dress, necklace, and other ornaments are composed of gold and silver medals.

Of the two other main "attractions" of the moment, viz., the Advent sermons of Father Hyacinth at Notre Dame and the masked balls at the Opera, it will suffice to say that in the last of the orations in question, having for subject "Morality in its relations to family life," the fat old monk launched out into such glowing and rapturous descriptions of the delights of "Christian marriage" as seem rather to have scandalized than edified his auditors; while the net profits of the last of the much-denounced orgies of whirling and folly in the vast enclosure of the Rue Lepelletier amounted to 25,000 francs.

That other popular favorite, Thérèse, of the Alcazar, is preparing to rejoice the ears of her admirers by a return to the scene of her triumphs. The affection of the throat from which she was said to be suffering has subsided, or, according to another version, was merely a pretext to enable her to rest her voice in view of her engagement for the period of the Exhibition, during which the coffee-house *dieu* will receive eight hundred francs per night. In acknowledgment of the chapter in M. Louis Veulliot's late book, of which she is the subject, Thérèse will signalize her reappearance not by *Rogomme*, not by *La Pieuvre*, not even by *L'Etrangleuse*, but by an entirely new ditty called *Les Odeurs de Paris*, composed for the express purpose of giving "tit" for the "tat" of the pious sledge-hammerer. The persistent preference of the usually fickle public of Paris for Thérèse and her songs, so excessively irritating to all who stand up for classicality and "respectability," is shared by many who, in the judgment of the latter, "ought to know better;" and, among others, by La Patti, who is one of Thérèse's most enthusiastic admirers, and is frequently to be seen in her box at the Alcazar, braving the clouds of tobacco smoke which fill it, and applauding with might and main the extraordinary ballads which Thérèse has brought into vogue, and which, whatever may be thought of them from a moral and philosophic point of view, and as a "sign of the times," are amazingly clever in their own low way. Which profound remark reminds me that the numerous company of scribblers belonging to the lighter divisions of the literary army are just now excessively indignant with the Academy, which, having to elect a new member, is said to be intending to name a respectable nonentity, M. Duvergier (de la Hauranne), author of an unreadable history, to the vacant arm-chair, and with the Academy's "perpetual secretary," M. Cousin, who, when sounded in regard to the candidature of Jules Janin, "the prince of feuilletonistes," whom the writers of gossip, criticism, and fiction have long desired to see in the Academy as their "representative man," contemptuously replied, "*Jules Janin! c'est de la basse littérature.*"

The culinary department is decidedly looking up in this capital of the universe. Baron Brisse's "Three Hundred and Sixty-five Dinners" is having a large and rapid sale; and that gentleman, with Alexander Dumas, Dr. Véron, the well-known editor of the *Constitutionnel*, Gouffé, considered to be the greatest living repository of "the traditions of the French *cuisine*," and eight other equally distinguished *gourmets*, have enrolled themselves into a club for the purpose of enjoying, once a week, the most exquisitely perfect dinner which the present gastronomic conditions of existence render possible. These worthies, each of whom contributes a minimum of 40 fr. to each repast, have just had their first collective feast. On this occasion

sion the dinner was ordered and its cooking superintended by Gouffé, who was attired in the traditional costume of the French head-cook, all the other guests being dressed as kitchen boys. The members appear to regard this dinner as a sort of foretaste of the joys of a higher sphere, and have signed and published a declaration stating it to be their firm belief that no other cook of our day could have "created" a repast so every way perfect. The exalted authorities in question have, moreover, given it as their decided opinion that the enormous results of cramming just seen at the great annual poultry exhibition of the Champs Elysées, and over which an unenlightened public has been going into raptures, are mere monstrosities, overgrown masses of fat and oil, and that those who have paid a hundred francs for the great turkeys, half that sum for geese resembling large square pillows, and proportional sums for the fat and bloated fowls and pigeons, have shown an utter ignorance of what constitutes the true merits of poultry, and have contributed to the demoralization of the public taste.

LETTER FROM CRETE.—THE ARKADI TRAGEDY.

CANEA, CRETE, Dec. 11, 1866.

Of all the sad stories of the Greek struggle for independence, none is so completely tragic as that of Arkadi. It is three weeks since the affair, and we scarcely know the whole truth now; but history rarely gets that, and we must, in all probability, be content with what we now know.

On the nineteenth of last month, Mustapha Pasha marched out of Retimo with 12,000 men, mostly regular Egyptian and Turkish troops, to attack the fortified convent of Arkadi, which was the headquarters of the insurrection in the district of Retimo, and a depot of gunpowder and provisions as well as the refuge of the inhabitants of the villages of the surrounding plains, whenever Turkish invasion menaced them. The head of the convent, a true fighting priest of the kind developed largely by the conditions of Cretan life, hearing that an attack was intended, and confident in the strength of the convent to resist, sent out for reinforcements, walled up the gates, and notified Coromos, the Greek commander of volunteers in that district. The chief of the neighboring district of Mylopotamo sent a reinforcement of about 30 men. Coromos was too far away to get there in time; and on the 19th, in the night, the army of Mustapha suddenly enveloped the convent, cutting off all retreat. Two messengers were let over the walls, however, one of whom succeeded in penetrating the lines of the Turkish army and carried out the news; the other was taken prisoner and killed. There were then in the walls of Arkadi about 960 souls, of whom a little above 300 were fighting men, the rest the women and children of the plain. Sixteen volunteers from Greece were included in the garrison, which, beside these, was composed of the 30 of Mylopotamo and the husbands and fathers of the women and children there, the *personnel* of the convent, and a few priests from convents in the adjoining districts. On the morning of the 20th they were summoned to surrender, and refused, upon which the attack began. The Turkish artillery, being small mountain guns, were advanced very near the wall opposite the great gateway, a magnificent specimen of Venetian military architecture, three hundred years old, and so extremely strong that it was found, after several hours, that their pieces would make no serious impression on it. The Pasha then sent to Retimo for heavier pieces and mortars, with reinforcements, which were sent him to the number of about 4,000 men. All the Cretan Mussulmans of the district and city were forced into the service if they did not volunteer. The heavy guns were advanced as near the gate as the deadly and incessant fire of the Christians permitted, and, after about 1,200 rounds of shot, the gate was breached and an assault ordered. It was received with such a hail of bullets that the troops recoiled out of its range; another and another were ordered, and met in the same way, their bodies being piled several deep in the breach and on the ground in front of it. Barrels of powder, with lighted matches, were thrown down from the walls with deadly effect. A stone mill, which flanked the gate, was garrisoned by a party of Cretans—some say 10, others 30—who kept up an annihilating fire on the column, and the artillery was finally turned on it, and brought it down in ruins, burying all of its defenders but one, who, by the accounts of the Turkish officers, kept up his fire over two hours from the *débris*, until he was killed by a shell. Albanians, native Mussulmans, and regular troops alike recoiled from the fire the garrison kept up, until, finally, a battalion of Egyptians were driven in at the points of a file of bayonets pitilessly used on those who turned, and the breach was entered. The Christians then withdrew to the cells and chambers which surrounded the court, and kept up a fire of the same determined and deadly character on the masses of troops who poured in, for six hours. The Turks were obliged to bring their artillery into the court and batter in the cells, each of which was defended to the

death of its garrison. Twenty-eight men in the great refectory defied all the attacks made on them. The Hegemenos (head of the convent), seeing resistance hopeless and capture inevitable, blew out his brains; several of the priests gave each other a farewell kiss and stabbed each other. In the great room of the Hegemenos were gathered many of the families, with most of what remained of the defenders. Underneath the room was the principal magazine, and when the defence became no longer possible, a pistol was fired into the powder and all together finished their resistance and suffering. The refectory held out until all the ammunition of the Christians there was exhausted, when they surrendered on the oath of the Turks to spare their lives. They were all beheaded as soon as surrendered. Six men in another cell shared the same fate. Men, women, and children were massacred without mercy; only thirty-three men and sixty-one women and children reached Retimo out of the nine hundred and sixty-six who were there. Others left Arkadi in the train, but, wounded, sick, faint, they were pitilessly killed when they could walk no further with the troops. One of the survivors says that he saw a woman, holding her infant in her arms, draw up to the wall as a Turk passed her, as if to get out of his way. He struck off her head and that of the babe as she stood with one blow of his sabre, and the body remained poised some minutes before death assumed all his rights. Many women threw themselves, with their children, into the flames, that now were raging all round the enclosure—the church, the chapels, the stables, and, in short, everything that contained combustibles being fired; and three days after the attack commenced, the army set out on its return. Its losses, from the admission of Turkish and Egyptian officers and the evidence of the surviving Christians, as well as those who saw the hopeless combat from the hills and came down after the army had gone away, could not have been less than three thousand killed and wounded. The care of the latter and the losses suffered obliged the Pasha to return to Retimo, though Coromos was in sight on the near heights when the affair was over.

Two weeks later the Pasha returned to Canea with his laurels, and yesterday set out for Selinos, where most of the Christian families have taken refuge. The Cretans have prayed the European powers, if they will not interfere for justice and humanity, at least to take away the families from the barbarities they have been and are still exposed to, and let the men fight it out; but though a large fleet of "Christian" men-of-war are here idly waiting the progress of events, not one government will permit an interference which might look like meddling with the Eastern question. The English minister at Constantinople being questioned if English men-of-war would be permitted to take on board families asking asylum, replied that they would not refuse refuge to those who came, but that he hoped that they would avoid putting themselves in such a position. The French commander told the Cretans point blank that if any came to him he should give them up to the authorities, and the Russian dare not do what the others do not permit by their example. Within two weeks, unless the God of battles favors the Cretan Christians in their desperate struggle, the same history may be told of every strong place in the new field of Turkish glory as has been told here of Arkadi.

Correspondence.

WILL THE MAJORITY RULE?

TO THE EDITOR OF THE NATION:

We have but little taste for any kind of politics in our State now, and this is the case throughout the South. Our ancestors led us into what has proved to be a frightful mistake, by declaring that all government derives its just power from the consent of the governed; while, in truth, the majority claims to rule and does rule.

Your article on the "Lesson of the Crisis" attracts my attention for the reason that it is the first open declaration I have read that the majority shall rule, and that "constitutional forms will count for very little," etc., etc.

It is to be regretted that the Constitutional Amendment should be the means to the end of any further agitation, and it is more to be regretted that such a condition should be attached to the amendment as precludes an acceptance by the South. That prostrate section does not refuse the operation of the amendment when passed, if that shall be considered the proper adjustment of the difficulty; it only begs that it shall not be its own executioner.

This is all. The South fully realizes that her sceptre has departed for ever, that her power is broken, and that, if restored to-morrow, she must, for this generation at least, wear her sackcloth and ashes in humble but, in the

light of her teaching, honest poverty. For this generation, did I say?—yea, for ever; for in thirty years the great North will so completely overshadow the sparsely populated South as that the latter will be only as an election district. Why, then, trample on the crippled body? The sleeveless arm cannot strike, and would not if it could.

Is there not some middle ground upon which the rising generation of the South can take their place for the Union, or are the hot passions and teachings of 1860-65 to be perpetuated?

I have nothing further to say than that, if the minority are not to be considered as all, they should have at least their humble petition granted: that condition of peace and quiet which will at least aid them in restoring their own homesteads and rebuilding their waste places.

Will you do me the favor to give this a place in your paper, and oblige
A SOUTH CAROLINIAN.

P.S.—Governor Orr and Senator Perry belong to that miserable, disgusting Democratic party, the cause of all our troubles. Their elevation is accidental, and grew out of the confused condition of affairs in 1865. Senator Campbell, recently elected for a six years' term, by an almost unprecedented vote, declared before his election that he had had enough of that party (see his published letter), etc.

He represents a large class in South Carolina who want new friends; but it seems we are to be for ever cut off by the heat of passion now ruling the North.

NEW YORK HOTEL, Jan. 17, 1867.

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ancestry, being essential elements of longevity, dimi-
nish the cost of insurance. The possession of them by the
insured should not accrue entirely to the advantage of a
company.

Relative tendencies to longevity are, to a degree, deter-
minable, and, so far, the insured is entitled to the benefit
of those he may possess; and the Company proposes to
allow them to him by rating him younger than he is, thus
lowering his premium. If his health is impaired, the
Company will insure him, but rate him older than he is,
thus raising his premium. *How long is he to live?* is the
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which will lower his premium; or rated at 47, 60, or older,
which will raise his premium.

FIFTH NEW FEATURE.

If, when the assured dies, he has lived beyond his rated
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manner tending to longevity, a proportional surplus will
be added to his Assurance, or paid to him as an annuity,
stopping his premium, and more than that if under 50
when insured. This is fair, and for the interest of
the Company: for if, by temperance and other habits,
vocation, residence, intelligence, care of health, etc., life
shall be prolonged, the Company will be benefited. This
surplus and the *reductions* in premiums, made on account
of tendencies to longevity, will prove that the Company
insures the *best lives* on unusually favorable terms; it
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rates.

Let those who have long-lived ancestry and are in good
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